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HOUSE JOURNAL

OF THE

Twenty-Seventh Session

OF THE

LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF UTAH.

PUBLISHED BY AUTHORITY

SALT LAKE CITY
TRIBUNE PRINTING AND PUBLISHING Co.

1886.

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NAMES AND RESIDENCES OF THE OFFICERS AND MEMBERS OF THE
Legislative Assembly of the Territory of Utah
WITH THE
STANDING COMMITTEES

TWENTY-SEVENTH SESSION, 1886

MEMBERS OF THE HOUSE

BEAVER AND PIUTE COUNTIES.

PHILO T. FARNSWORTH Beaver, Beaver County.

BOX ELDER COUNTY.

R. H. BATY Calls Fort, Box Elder County

CACHE AND RICH COUNTIES.

JOSEPH HOWELL Wellsville, Cache County

JOSEPH KIMBALL Meadowville, Rich County.

IRON, SAN JUAN AND GARFIELD COUNTIES.

JOHN HOUSTON Pangutch, Garfield County.

MILLARD COUNTY

WILLIAM H. KING Fillmore, Millard County.

SALT LAKE, DAVIS AND MORGAN COUNTIES.

JOHN CLARK. Salt Lake City, Salt Lake County.
WM. W. RITER Salt Lake City, Salt Lake County.
DON CARLOS YOUNG Salt Lake City, Salt Lake County.
JOHN Q. CANNON Salt Lake City, Salt Lake County.
ORSON A. WOOLLEY. Salt Lake City, Salt Lake County.
J. R. STEWART Morgan, Morgan County.

SANPETE, SEVIER AND EMERY COUNTIES.

A. H. LUND Ephraim, Sanpete County.
A. D. THURBER Richfield, Sevier County

SUMMIT COUNTY

D. C. McLAUGHLIN Park City, Summit County

TOOELE COUNTY.

CHAS. L. ANDERSON Grantsville, Tooele County.

UTAH AND JUAB COUNTIES.

SAMUEL R. THURMAN Provo, Utah County.
WM. CREER Spanish Fork, Utah County.
THOS. J. McCULLOUGH Alpine, Utah County.
W. C. A. SMOOT, JR. Provo, Utah County.

WASHINGTON AND KANE COUNTIES.

JNO. RIDER Kanab, Kane County.

WEBER COUNTY.

JOS. A. WEST Ogden, Weber County.
EDWIN STRATFORD. Ogden, Weber County.

OFFICERS OF THE HOUSE.

WM W RITER	Speaker
Salt Lake City, Salt Lake County.	
HORACE G. WHITNEY.	Chief Clerk.
Salt Lake City, Salt Lake County.	
DANIEL HARRINGTON	Minute Clerk.
Manti, Sanpete County	
JOHN BOYDEN	Engrossing and Enrolling Clerk.
Coalville, Summit County.	
LEVI SNOW	Sergeant-at-Arms.
Provo, Utah County	
THOS. E. OLSEN	Messenger.
Fillmore, Millard County	
LAWRENCE H. YOUNG	Watchman.
Salt Lake City, Salt Lake County.	
JOSEPH HALL.	Chaplain.
Ogden City, Weber County.	
DANIEL LEATHAM.	Usher.
Salt Lake City, Salt Lake County.	

STANDING COMMITTEES OF THE HOUSE.

ELECTIONS.

Baty, Clark, Smoot, Stewart and King.

JUDICIARY.

Hatch, Thurman, Clark, Kimball, Stratford, Cannon and Woolley

CLAIMS AND PUBLIC ACCOUNTS.

Thurman, Clark, Creer, Thurber and Houston

APPROPRIATIONS

Clark, Hatch, Young, Howell, McCullough, King and Rider.

WAYS AND MEANS.

Stratford, West, Cannon, Lund and Farnsworth.

COUNTIES.

Hatch, Young, Thurber, Farnsworth and Stratford.

HIGHWAYS.

Howell, West, Woolley, McCullough and Thurber.

ENGROSSMENT.

McLaughlin, Woolley and Smoot

EDUCATION.

Cannon, Thurman, Rider, Kimball and Howell.

MANUFACTURE AND COMMERCE

Stewart, Howell, McLaughlin, Creer and Lund.

MILITIA.

Houston, McCullough and Stewart

PENITENTIARY AND REFORM SCHOOL.

Lund, Cannon, Smoot, West and Baty.

FISH AND GAME

Thurber, Anderson and Stratford.

MINES AND MINING

Farnsworth, McLaughlin, Hatch, Stewart, Smoot, Thurber and Rider.

PRIVATE CORPORATIONS

Creer, Howell, Baty, Thurman and Lund.

MUNICIPAL CORPORATIONS AND TOWNS

Thurman, Baty, West, Clark and Anderson.

ASYLUM FOR THE INSANE.

Smoot, Stratford, Young, Stewart and Houston.

PUBLIC HEALTH.

Young, McLaughlin and McCullough.

RULES.

McCullough, Rider and McLaughlin.

CONTINGENT EXPENSES OF THE HOUSE.

Anderson, Hatch and King.

LIVE STOCK.

**Kimball, Woolley, Anderson, Creer, King, Farnsworth
and Houston.**

AGRICULTURE AND IRRIGATION.

King, Anderson, Kimball, Lund and Houston.

JOINT COMMITTEES.

ENROLLMENT.

West, Baty and Young.

PUBLIC PRINTING.

Rider, Cannon and Farnsworth.

TERRITORIAL LIBRARY.

Woolley, Creer and Kimball.

MEMBERS OF THE COUNCIL.

CACHE AND RICH COUNTIES.

JAMES T. HAMMOND.....Logan, Cache County.

BOX ELDER AND WEBER COUNTIES.

LEWIS W. SHURTLIFF.....Ogden City, Weber County.

WASATCH, Uintah, SUMMIT AND MORGAN COUNTIES.

SAMUEL FRANCIS Morgan City, Morgan County.

UTAH AND JUAB COUNTIES.

JOEL GROVE Nephi, Juab County.

JONATHAN S. PAGE Payson, Utah County.

SALT LAKE, DAVIS AND TOOELE COUNTIES.

JAMES SHARP.....Salt Lake City, Salt Lake County.

JOHN W. TAYLOR Salt Lake City, Salt Lake County.

ELIAS A. SMITH Salt Lake City, Salt Lake County.

JOSEPH BARTON.....Kaysville, Davis County.

SANPETE, SEVIER AND EMERY COUNTIES.

LUTHER T. TUTTLE.....Manti, Sanpete County.

MILLARD, BEAVER, IRON, PIUTE AND GARFIELD COUNTIES.

ROBERT W. HEYBORNE.....Cedar City, Iron County.

WASHINGTON, KANE AND SAN JUAN COUNTIES.

MARTIN SLACK.....Toquerville, Washington County.

OFFICERS OF THE COUNCIL.

ELIAS A. SMITH.....President.
Salt Lake City, Salt Lake County.

HEBER M. WELLS Chief Clerk.
Salt Lake City, Salt Lake County.

VERNEE L. HALLIDAY.....Minute Clerk.
Provo City, Utah County.

MILANDO PRATT.....Enrolling and Engrossing Clerk.
Salt Lake City, Salt Lake County.

J. GOLDEN KIMBALL.....Sergeant-at-Arms.
Meadowville, Rich County.

LEWIS M. CANNON.....Messenger.
Salt Lake City, Salt Lake County.

JOHN HOAGLAND.....Watchman.
Salt Lake City, Salt Lake County.

CHARLES C. SHAW Chaplain.
Hyrum, Cache County.

ALFRED RIDGES.....Usher.
Salt Lake City, Salt Lake County.

STANDING COMMITTEES OF THE COUNCIL.

ELECTIONS.

Shurtliff, Grover, Taylor, Barton, Slack.

JUDICIARY.

Grover, Hammond, Sharp, Francis, Shurtliff.

CLAIMS AND PUBLIC ACCOUNTS.

Francis, Heybourne, Taylor.

APPROPRIATIONS.

Hammond, Sharp, Tuttle, Taylor.

WAYS AND MEANS.

Sharp, Page, Tuttle.

COUNTIES.

Barton, Slack, Heybourne.

HIGHWAYS.

Page, Francis, Heybourne.

ENGROSSMENT.

Taylor, Page, Barton.

EDUCATION.

Hammond, Page, Sharp, Slack, Shurtliff.

AGRICULTURE.

Grover, Heybourne, Barton.

MANUFACTURE AND COMMERCE.

Tuttle, Shurtliff, Grover.

MILITIA.

Heybourne, Tuttle, Taylor.

PENITENTIARY AND REFORM SCHOOLS.

Slack, Tuttle, Francis.

IRRIGATION.

Barton, Hammond, Heyborne, Page.

FISH AND GAME.

Sharp, Tuttle, Grover.

MINES AND MINING.

Slack, Barton, Grover, Tuttle.

PRIVATE CORPORATIONS.

Francis, Hammond, Sharp, Shurtliff.

MUNICIPAL CORPORATIONS AND TOWNS.

Grover, Barton, Sharp, Francis.

ASYLUM FOR INSANE.

Page, Hammond, Shurtliff.

PUBLIC HEALTH.

Shurtliff, Sharp, Francis.

RULES.

Page, Slack, Heyborne.

JOINT COMMITTEES.

CONTINGENT EXPENSES.

Heyborne, Francis, Slack.

ENROLLMENT.

Hammond, Barton, Taylor.

PUBLIC PRINTING.

Taylor, Grover, Page.

TERRITORIAL LIBRARY.

Tuttle, Hammond, Heyborne.

TWENTY-SEVENTH SESSION
OF THE
LEGISLATIVE ASSEMBLY
OF THE
TERRITORY OF UTAH.

HOUSE JOURNAL.

FIRST DAY.

REPRESENTATIVES' HALL,
Salt Lake City,
Monday, January 11, 1886.

Pursuant to law, the Representatives elect of the Legislative Assembly of the Territory of Utah convened in the City Hall, at 2 o'clock p. m.

Mr. Junius F. Wells, Chief Clerk of the House of the Twenty-sixth Session, called the House to order, and stated that he was in possession of a list of the members elect certified to by Hon. A. L. Thomas, Secretary of the Territory.

Mr. West moved that the roll be called from the certified list of members.

Carried.

The Clerk then read the following:

MEMBERS OF THE HOUSE.

Cache and Riche Counties—Joseph Howell, Joseph Kimball.

Box Elder County—R. H. Baty.

Weber County—Joseph A. West, Edwin Stratford.

Wasatch and Uintah Counties—Abram Hatch.

Summit County—D. C. McLaughlin.

Morgan, Salt Lake and Davis Counties—John Clark, Wm. W. Riter, Don Carlos Young, John Q. Cannon, Orson A. Woolley, J. R. Stewart.

Tooele County—Charles L. Anderson.

Utah and Juab Counties—Samuel R. Thurman, Wm. Creer, Thomas J. McCullough, W. C. A. Smoot, Jr.

San Pete, Sevier and Emery Counties—A. H. Lund, A. D. Thurber.

Millard County—William H. King.

Beaver and Piute Counties—P. T. Farnsworth.

Iron, San Juan and Garfield Counties—John C. Houston.

Washington and Kane Counties—John Rider.

TERRITORY OF UTAH, }
Secretary's Office. } ss.

I, Arthur L. Thomas, Secretary of the Territory of Utah, do hereby certify that the above and foregoing is a full, true and correct list of the persons elected members of the House of Representatives of the Twenty-seventh Legislative Assembly of the Territory of Utah, as appeared of record in my office.

Attest. My hand and the great seal of the Territory of Utah, this eighth day of January, A. D. 1886.

[SEAL.]

ARTHUR L. THOMAS,
Secretary of Utah Territory.

Mr. Cannon moved that the House proceed to effect a permanent organization.

Carried.

Mr. Cannon placed in nomination for Speaker of the House, the name of the Hon. Wm. W. Riter.

Mr. Thurman nominated as Speaker of the House,
Hon. Abram Hatch.

The vote being taken on the nominations, resulted
for Mr. Riter, 13; for Mr. Hatch, 8.

Mr. King moved that the nomination of Mr. Riter
be made unanimous.

Carried.

Mr. Young nominated for Chief Clerk of the House,
Mr. H. G. Whitney.

Carried.

Mr. West offered a resolution creating the office of
Minute Clerk, at a salary of \$5 per day, to be paid out
of the Territorial Treasury.

Laid on the table.

Mr. Creer nominated for Sergeant-at-arms, Mr. Levi
Snow.

Carried.

Mr. Riter nominated for Enrolling and Engrossing
Clerk, Mr. John Boyden.

Carried.

Mr. Clark nominated for Watchman, Mr. Lawrence
Young.

Carried.

Mr. Hatch nominated for Messenger, Mr. Frank
Davis.

Mr. King nominated for Messenger, Mr. Thomas E.
Olson.

The vote being taken, it was discovered that Mr.
Olson was elected.

Mr. Stratford nominated as Chaplain, Mr. Joseph
Hall.

Carried.

Mr. Thurman moved that the Hon. A. L. Thomas,
Secretary of the Territory, be now requested to admin-
ister the oath of office to the members and officers of
the House.

Carried.

The following oath was then administered by the
Hon. Secretary, to the members present, to the Speaker,
Chief Clerk, Watchman, Chaplain and Sergeant-at-arms:

You do solemnly swear that you have never volun-

tarily borne arms against the United States since you have been citizens thereof; that you have voluntarily given no aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto; that you have never sought nor accepted, nor attempted to exercise the functions of any office whatever, under any authority, or pretended authority, in hostility to the United States; that you have not yielded a voluntary support to any pretended government, authority, power, or constitution, within the United States, hostile or inimical thereto. And you do further swear that, to the best of your knowledge and ability, you will support and defend the Constitution of the United States against all enemies, foreign and domestic, and that you will bear true and faithful allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, and that you are not bigamists or polygamists. So help you God.

The Chaplain then offered prayer.

The following communication was received and read:

Council Chamber,
Salt Lake City, U. T., Jan. 11, 1886.

To the Honorable Speaker, House of Representatives:

SIR:—I have the honor to inform you that the Council has organized with the following officers:

ELIAS A. SMITH, President.
HEBER M. WELLS, Chief Clerk.
MILANDO PRATT, Enrolling and Engrossing Clerk.
J. GOLDEN KIMBALL, Sergeant-at-Arms.
L. M. CANNON, Messenger.
JOHN HOAGLAND, Watchman.
CHARLES C. SHAW, Chaplain.

Very respectfully,

HEBER M. WELLS,
Chief Clerk.

Mr. Hatch moved that the Council be notified that the House was organized and ready to proceed to business.

Carried.

Mr. Thurman presented the following resolution:

Resolved, The Council concurring, that a committee of three of the House, and a like number of the Council, to be appointed by the Speaker and President, respectively, wait upon His Excellency, the Governor, and inform him that the Assembly is organized and ready to receive any communication he may wish to make.

The Speaker appointed as the committee from the House, Mr. Thurman, Mr. West and Mr. Cannon.

The Clerk read the following communication from the Council:

Council Chamber,
Salt Lake City, Jan. 11, 1886.

Hon. Wm. W. Riter, Speaker of the House of Representatives:

SIR:—I have the honor to inform you that the Council have appointed Councilors Barton and Page, a committee to act in conjunction with a like committee from the House to notify His Excellency the Governor that the Council and the House have effected permanent organizations, and that they are now ready to receive any communications he may desire to make.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

Mr. West presented the following resolution:

Resolved, That the standing rules of the twenty-sixth session be adopted as the rules of this House, and that 500 copies of the same be printed for the use of members.

Adopted.

The oath of office was administered to Mr. Anderson, who had just entered.

The following communication was received and read:

Council Chamber,
Salt Lake City, Jan. 11, 1886.

Hon. Wm. W. Riter, Speaker of the House of Representatives:

SIR:—I have the honor to inform you that the Council has adopted a resolution, the House concurring, that a Minute Clerk be elected by each House to serve during this session, at a compensation of \$5.00 per day, and that an Usher be elected by each House, at a compensation of \$4.00 per day, to be paid out of the Territorial Treasury.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Mr. West moved that the House concur in the action of the Council.

Carried.

Mr. Smoot nominated Daniel Harrington for Minute Clerk.

Carried.

Mr. Howell nominated Mr. Daniel Leatham for Usher.

Carried.

Mr. West presented the following resolution:

Resolved, The Council concurring, that 100 copies of the daily minutes and 200 copies of names and residences of officers and members, with the standing committees, be printed for the use of the members of the Assembly.

Adopted.

Mr. Stratford presented the following resolution:

Resolved, The Council concurring, that the Sergeant-at-Arms of each House be instructed to furnish each member of the House and Council, also the President, Speaker and Chief Clerks with four daily papers, or their equivalent in other periodicals.

Also, with necessary postage stamps during the session, and that the same be paid for out of the Territorial Treasury.

Adopted.

The following communication was received and read:

Council Chamber,
Jan. 11, 1886.

Mr. Speaker:

I am directed to inform you that the Council has amended House Concurrent Resolution No. 1, and has passed the same as amended, and the same is herewith respectfully forwarded.

Also, that the Council has appointed as the committee on the part of the Council, Councilors Barton, Page and Shurtliff.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Mr. Hatch moved that the House concur in the amendment.

Carried.

Mr. Clark moved that the House adjourn until Tuesday, January 12, at 2 o'clock p. m.

Carried.

Benediction by the Chaplain.

SECOND DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Tuesday, Jan. 12, 1886.

2 p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of Monday read and approved.

Mr. Thurman, of the committee appointed to wait upon the Governor, reported the following:

Jan. 12, 1886.

Mr. Speaker:

The committee appointed to wait upon his Excellency the Governor have the honor to report that he will be pleased to communicate with the Legislature to-day at 3 o'clock p. m.

(Signed,)

THURMAN,
Chairman.

On motion of Mr. Hatch, the report of the committee was accepted, and the Council was informed that the House would be prepared to meet His Excellency at 3 p. m.

MESSAGE FROM THE COUNCIL.

Council Chamber,
Jan. 11, 1886.

Mr. Speaker:

I am directed to inform you that the Council concurs in House Resolution relating to the printing of

daily minutes and names of members, officers and standing committees of the Assembly.

Very respectfully,

HEBER M. WELLS,
Chief Clerk.

Mr. Smoot offered the following:

Resolved, The Council concurring, that a copy of the Compiled Laws of Utah, 1876, and of the Session Laws of 1878, 1880, 1882 and 1884, or so many thereof as may be attainable, be placed at the service of each member and the Chief Clerk of the Council and House.

Adopted.

MESSAGE FROM THE COUNCIL.

Council Chamber,
Jan. 12, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has adopted the report of Joint Committee appointed to wait upon His Excellency the Governor, stating that His Excellency will be pleased to meet with the Assembly in Joint Session at 3 o'clock p. m. to-day.

Also, that the Council desires to meet the House in Joint Session at 2:45 o'clock to-day.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

On motion of Mr. Clark, a recess of fifteen minutes was taken.

The members of the Council having entered the Hall, at 3 o'clock p. m., the Assembly went into Joint Session.

[See Joint Session Minutes, Council Journal, page 24.]

On dissolution of Joint Session, the House was called to order by the Speaker.

The following communication was received and read by the Clerk:

Salt Lake City, Utah, Jan. 12, 1886.

GENTLEMEN:—As a matter of convenience to you, the honorable members of the House, if acceptable, we will place at your disposal a set of telephone instruments, to be located as you may direct, and to be connected with our central office in Salt Lake City.

On receipt of your acceptance of the offer we will immediately place the instruments.

Very respectfully,

THE ROCKY MOUNTAIN BELL TELEPHONE CO.,

C. F. ANNETT,

President.

*To the Honorable Members of the House of Representatives,
Salt Lake City, Utah.*

On motion of Mr. Hatch, the House accepted the courtesy of Mr. Annett, and the Clerk was instructed to thank him for the same.

MESSAGE FROM THE COUNCIL.

Council Chamber,
1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day adopted a resolution, the House concurring, authorizing the Joint Committee on Printing to solicit bids for public printing, not provided for by Congressional appropriation, and be prepared at an early day to make recommendations in regard to the election of a Public Printer for this session of the Legislative Assembly.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

On motion of Mr. Creer, the House concurred in the above resolution.

Mr. West offered the following:

Resolved, That the Sergeant-at-Arms be instructed to furnish the postmaster with the names of the officers and members of this House who desire their mail delivered in this House.

Adopted.

The following resolution was presented by Mr. Thurman:

Jan. 12, 1886.

Mr. Speaker:

WHEREAS, It is necessary and expedient for this session of the Legislature, in order to supply the wants and needs of the people of this Territory, to provide for a reprint of existing laws; and

WHEREAS, Said laws in their present condition are complicated, inconvenient, and in many instances misleading; therefore,

Resolved, The Council concurring, that a joint committee, composed of three members of each house, be appointed by the Speaker and President, respectively, and required to proceed forthwith and investigate the practicability and expediency of compiling in convenient form, during the present session of the Legislature, all the existing laws of Utah, and all laws and amendments made during the present session.

Resolved, further, That said committee report their conclusions, if convenient and practicable, not later than Friday, January 15, 1886.

(Signed)

THURMAN.

Adopted.

MESSAGE FROM THE COUNCIL.

Council Chamber,

Jan. 12, 1886.

Mr. Speaker:

I am directed to inform your honorable body that

the Council has adopted a motion appointing a committee of two to confer with a like committee of the House, to decide upon a regular hour for meeting, and that Councilors Barton and Heyborne have been appointed on the part of the Council as such committee.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

On motion, the House concurred. The Speaker appointed Messrs. Hatch and Clark as the committee on behalf of the House.

The Speaker appointed Messrs. Rider, Farnsworth and Cannon as the Committee on Printing.

On motion of Mr. Smoot, the House adjourned until Wednesday, at 2 p. m.

Benediction by the Chaplain.

THIRD DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Wednesday, Jan. 13, 1886.

2. p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll call—quorum present.

Prayer by the Chaplain.

Journal of Tuesday read and approved.

Mr. Cannon drew the attention of the Speaker to the fact that the Usher, the Minute Clerk, the Enrolling and Engrossing Clerk, the Sergeant-at-arms and the Messenger had not yet been sworn in.

The Speaker asked those gentlemen to come forward, and they were sworn in by Secretary Thomas.

The Chair appointed Messrs. Thurman, Cannon and King as the Committee on Compilation and Revision, as provided for in H. R. 7, introduced by Mr. Thurman.

MESSAGE FROM THE COUNCIL.

Council Chamber,
Jan. 12, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day concurred in House Resolution relating to the placing at the service of members and Chief Clerks of the Assembly, copies of the Compiled Laws of 1876, Session Laws of 1878, 1880, 1882 and 1884, or so many thereof as may be attainable.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

The Speaker appointed the following Standing Committees:

HOUSE STANDING COMMITTEES.

ELECTIONS.

Baty, Clark, Smoot, Stewart and King.

JUDICIARY.

Hatch, Thurman, Clark, Kimball, Stratford, Cannon and Woolley.

CLAIMS AND PUBLIC ACCOUNTS.

Thurman, Clark, Creer, Thurber and Houston.

APPROPRIATIONS.

Clark, Hatch, Young, Howell, McCullough, King and Rider.

WAYS AND MEANS.

Stratford, West, Cannon, Lund and Farnsworth.

COUNTIES.

Hatch, Young, Thurber, Farnsworth and Stratford.

HOUSE JOURNAL.

HIGHWAYS.

Howell, West, Woolley, McCullough and Thurber.

ENGROSSMENT.

McLaughlin, Woolley and Smoot.

EDUCATION.

Cannon, Thurman, Rider, Kimball and Howell.

AGRICULTURE.

Kimball, Anderson, McCullough, Houston and Lund.

MANUFACTURE AND COMMERCE.

Stewart, Howell, McLaughlin, Creer and Lund.

MILITIA.

Houston, King and Stewart.

PENITENTIARY AND REFORM SCHOOL.

Lund, Cannon, Smoot, West and Baty.

IRRIGATION.

King, Kimball, Woolley, Anderson, Creer, Farnsworth
and Houston.

FISH AND GAME.

Thurber, Anderson and Stratford.

MINES AND MINING.

Farnsworth, McLaughlin, Hatch, Stewart, Smoot, Thur-
ber and Rider.

PRIVATE CORPORATIONS.

Creer, Howell, Baty, Thurman and Lund.

MUNICIPAL CORPORATIONS AND TOWNS.

Thurman, Baty, West, Clark and Anderson.

ASYLUM FOR THE INSANE.

Smoot, Stratford, Young, Stewart and Houston.

PUBLIC HEALTH.

Young, McLaughlin and McCullough.

RULES.

McCullough, Rider and McLaughlin.

CONTINGENT EXPENSES OF THE HOUSE.

Anderson, Hatch and King.

JOINT COMMITTEES.

ENROLLMENT.

West, Baty and Young.

PUBLIC PRINTING.

Rider, Cannon and Farnsworth.

TERRITORIAL LIBRARY.

Woolley, Creer and Kimball.

Mr. Rider, of the Committee on Printing, stated that they were not prepared to report.

Mr. King offered the following:

Resolved, That Rule 28, providing for standing committees, be and the same is hereby amended by striking out the Committee on Irrigation, and substituting in lieu thereof "a Committee on Live Stock," and by adding the word "Irrigation" to "Agriculture," so as to read, a Committee on Agriculture and Irrigation.

KING.

Adopted by the necessary two-thirds vote.

MESSAGE FROM COUNCIL.

Council Chamber.

Jan. 13, 1886.

Resolved, The House concurring, that the Sergeant-at-arms be instructed to furnish the Minute and Enrolling Clerks, Sergeant-at-arms, Messengers, Watchman, Chaplain and Ushers of both houses with four daily papers or their equivalent in other periodicals, and the necessary postage stamps, etc., during the session.

On motion of Mr. King, the House concurred.

MESSAGE FROM COUNCIL.

Council Chamber,

Jan. 13, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day concurred in H. R. 7, relating to the compiling of existing laws, and the same is herewith returned.

Also, that the Council has appointed Councilors Page, Hammond and Grover to act as the committee named in said resolution on the part of the Council.

Respectfully,

HEBER M. WELLS.

Chief Clerk.

Communication from the Territorial Treasurer :

TERRITORIAL TREASURER'S OFFICE,
SALT LAKE CITY, UTAH,
January 11, 1886. }

To the Legislative Assembly of the Territory of Utah:

GENTLEMEN:—I have the honor to report that there is in my charge as Territorial Treasurer, the following property belonging to the Territory:

One Herring Fire Proof Safe.

One Desk.

One Cancelling Stamp.

Two hundred West's New Map of Utah Territory.

Fourteen Froiseth's New Map of Utah Territory.

Record for Registry of Auditor's Warrants.

Also a Ledger, Day Book and Blank Receipt Book.

Respectfully submitted,

JAMES JACK,
Territorial Treasurer.

On motion, the report of the Treasurer was accepted.

On motion, Mr. Young was granted a leave of absence on account of sickness in his family.

MESSAGE FROM COUNCIL.

Council Chamber,
January 13, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day adopted the accompanying resolution.

H. R. Concurrent No. 7.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

The following resolution was offered by Mr. Thurman:

That the Chief Clerk be instructed to notify those persons who have the freedom of the House under the Rules of the House.

THURMAN.

Adopted.

Mr. Howell presented the following:

Mr. Speaker:

Resolved, That the Sergeant-at-arms of this House be instructed and required to keep a detailed account of all articles furnished by him on orders of the House, with the amount and kind distributed to each member and officer, and the cost of the same, the cost of which is to be paid out of the Territorial Treasury.

HOWELL.

Adopted.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Thurman presented "A bill providing for the selection and payment of jurors."

Read the first time and referred to the Committee on Judiciary.

Mr. West presented a bill entitled, "An Act amending an Act authorizing County Courts to grant licenses approved March 13, 1884."

Read, and referred to the Committee on Judiciary.

Mr. West presented a bill entitled, "An Act amending an Act regulating the mode of procedure in criminal cases, approved February 22, 1878."

Referred to the Committee on Judiciary.

Mr. Rider presented the following:

Resolved, That the Auditor of Public Accounts be requested to furnish twenty-five copies of the Compiled Laws of Utah for the use of the members of this House

RIDER.

On Motion of Mr. Cannon, the resolution was laid on the table.

The following report was read by the Clerk:

Committee Room,
January 13, 1886.

Mr. Speaker:

Your Committee appointed with a like Committee of the Council to consider the most convenient hour for daily sessions of both Houses, report that we unitedly recommend the hour of 2. p. m.

HATCH,
Chairman.

On motion of Mr. Howell, the House adjourned until to-morrow, at 2. p. m.

Benediction by the Chaplain.

FOURTH DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Thursday, Jan. 14, 1886.

p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of Wednesday read and approved.

Mr. Rider, chairman of the Committee on Printing, presented the following report:

Committee Room,
Wednesday, Jan. 14, 1886.

Mr. Speaker:

Your Joint Committee, appointed to solicit bids

for printing the daily minutes, and other matter, for the twenty-seventh session of the Legislative Assembly, report that we have duly considered the subject, and recommend that Mr. Thomas E. Taylor be elected to the office of Public Printer.

RIDER,
Chairman.

On motion of Mr. King, the report was adopted.

Mr. West moved that Thos. E. Taylor be elected to the office of Public Printer.

Carried.

MESSAGE FROM COUNCIL.

Council Chamber,
Jan. 14, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day adopted the report of the Joint Committee on Printing, and appointed Mr. Thomas E. Taylor Public Printer.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

REPORT OF SELECT COMMITTEE.

Mr. Thurman, chairman of the Committee on Revision, presented the following report :

Jan. 14, 1886.

Mr. Speaker:

The committee appointed to act with a like committee of the Council, to consider the advisability and practicability of compiling the laws of Utah during the present session of the Legislature, respectfully report that after a full consideration of the subject, we recommend that the said laws be compiled, and herewith submit a joint resolution providing for the same.

Respectfully submitted,
THURMAN,
Chairman.

On motion of Mr. West the report was adopted.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. West—"A bill providing for the payment of jurors."

Read first time by its title, and referred to the Committee on Judiciary.

By Mr. Creer—"A bill to amend Sections 721, 722 and 723 of the Civil Code."

Read first time by its title, and referred to the Committee on Judiciary.

By Mr. Thurman—"A bill to amend Title IV., Chapter I., Section 1058—enforcement of liens."

Read first time by its title, and referred to the Committee on Judiciary.

By Mr. Kimball—"An act regulating the driving and shipping of cattle, horses and sheep."

Read first time by its title, and referred to the Committee on Live Stock.

COMMITTEES.

The Speaker named the following standing committees.

Committee on Agriculture and Irrigation, Messrs. King, Anderson, McCullough, Lund and Houston.

Committee on Live Stock, Messrs. Kimball, Woolley, Anderson, Creer, King, Farnsworth and Houston.

Mr. Thurman presented the following, which passed its first and second readings :

Jan. 14, 1886.

Resolved by the Governor and Legislative Assembly of the Territory of Utah, That Thurman, Baty, King, West and Howell and the Hon. Arthur L. Thomas, Secretary of the Territory of Utah, are hereby appointed and authorized to proceed at once and arrange and compile in convenient form, under the direction of the Legislature, all the existing laws of Utah in force, and all the laws and amendments that may be made from time to time during the present session of the Legislature, and

present the same in one bill to the Legislature on or before March 1, A. D. 1886.

Resolved, further, that said persons are hereby authorized to employ such assistants as may be necessary in the prosecution of said work. The expenses of which shall be paid out of the Territorial Treasury.

Resolved, further, that the said Hon. Arthur L. Thomas shall receive for his services herein such compensation as may be provided by the Governor and Legislative Assembly.

THURMAN:

On motion of Mr. Clark, the rules were suspended, and Mr. Thurman's resolution was read the third time, and adopted.

Ayes—Anderson, Baty, Clark, Creer, Cannon, Farnsworth, Hatch, Houston, Howell, King, McCullough, Rider, Stratford, Stuart, Smoot, Thurber, Thurman, Woolley, West, Young, Kimball and Lund—22.

No—McLaughlin—1.

MESSAGES FROM COUNCIL.

Council Chamber,
Jan. 14, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day ordered to be spread upon the Council Journal, the report of Joint Committee appointing Mr. Thos. E. Taylor Public Printer.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

Council Chamber,
Jan. 14, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day adopted the report of the

Joint Special Committee, relative to the compilation of existing laws.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

Mr. Smoot, presented the following resolution :

Resolved, the Council concurring, that the Auditor of Territorial Accounts be instructed to make an immediate distribution to the various counties of the Territory those two hundred maps purchased by the Territory in 1884, from Joseph A. West, as prescribed by law.
W. C. A. SMOOT, JR.

Ruled out of order.

Mr. Hatch, chairman of the Committee on Judiciary, presented the following report:

Committee Room,
Jan. 14, 1886.

Mr. Speaker:

Your Committee on Judiciary, to whom was referred H. F. No. 3, a bill for an act regulating the mode of procedure in criminal cases, approved Feb. 22, 1878, respectfully report the same back with the recommendation that it be put upon its passage.

HATCH,
Chairman.

Adopted.

On motion of Mr. Thurman. the bill was made a special order for 2 o'clock to-morrow.

On motion of Mr. Smoot, the House adjourned until Friday, at 2 p. m.

Benediction by the Chaplain.

FIFTH DAY.

REPRESENTATIVES' Hall,
Salt Lake City, Friday, Jan. 15, 1886.

2 p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of Tuesday read, amended and approved.

On motion of Mr. Thurman, the rules were suspended and Mr. Hatch presented the following:

Mr. Speaker:

I have just learned that the Hon. Wm. Jennings, an ex-member of the Legislature of Utah, ex-Mayor of Salt Lake City and one of Utah's most progressive citizens, died to-day at about 1 o'clock. I therefore move that when this House adjourn it be until Monday, at 2 p. m., in order that his friends may have an opportunity to pay suitable respects to his memory.

Carried.

On motion of Mr. Thurman, the House adjourned until Monday, at 2 p. m.

Benediction by the Chaplain.

EIGHTH DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Monday, Jan. 18, 1886.

2. p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of the 15th inst. read, amended and approved.

PRESENTATION OF PETITION.

Mr. McCullough presented a petition, accompanied by a bill from citizens of American Fork, asking for an amendment to their charter.

The bill was read by its title, and referred to Committee on Municipal Corporations and Towns.

REPORT OF STANDING COMMITTEE.

Mr. Hatch, chairman of the Committee on Judiciary, presented the following:

Mr. Speaker:

Your Committee on Judiciary, to whom was referred H. F. No. 1, and H. F. No. 4, having had them under advisement, ask leave to report the same back, and offer the enclosed "substitute bill," entitled "A Bill providing for the selecting and payment of jurors," and ask that it be read, and accepted in lieu of said House Files Nos. 1 and 4, and recommend its passage.

HATCH.

Chairman.

The bill was read by the Clerk.

On motion of Mr. Creer, the report of the committee was adopted; the bill read the second time by its title, ordered printed, and made the special order for Thursday, January 21st.

COMMUNICATION FROM HIS EXCELLENCY GOVERNOR ELI H. MURRAY.

Territory of Utah,
Executive Office,
Salt Lake City, January 18, 1886. }

*To the Honorable the Members of the Legislative Assembly
of the Territory of Utah:*

GENTLEMEN:—On the 21st of December, 1885, I addressed a letter to the Honorable the Secretary of the Interior, stating that I was informed that there was a charge on the books of the Treasury of the United States against the Territory on account of expenses of the courts and the keeping of prisoners, etc., charged with crimes against the Territorial statutes, and requesting a statement of the account, with the view of presenting the matter to the Legislative Assembly, with the view of having the account, if improperly made, balanced on the books of the Treasury, or, if a proper charge, that provision be made for its payment.

In reply thereto, I have received the following (enclosures marked 1 and 2), which statements place the Territory in the attitude of repudiating, from year to year, a public debt.

I earnestly recommend that this indebtedness be paid. If the revenues of the Territory will not permit its payment in full, a sinking fund should be created looking to its early payment.

I am, very respectfully,
ELI H. MURRAY,
Governor.

1.

DEPARTMENT OF THE INTERIOR,
WASHINGTON, January 11, 1886.

To the Governor of Utah, Salt Lake City:

SIR:—In response to your letter of the 21st ultimo, I enclose herewith a copy of a statement furnished by the First Comptroller of the Treasury, showing the amount which has been paid by the United States on account of "expenses of Territorial Courts in Utah," and which, in accordance with the terms, of the acts of Congress making appropriations for the payment of such expenses, is to be "reimbursed to the appropriation out of the treasury of the Territory."

Very respectfully,

L. Q. C. LAMAR,
Secretary.

2.

TREASURY DEPARTMENT,
FIRST COMPTROLLER'S OFFICE,
WASHINGTON, D. C.
January 5, 1886.

Hon. Daniel Manning, Secretary of the Treasury:

SIR:—Referring to your reference of the 30th ultimo of the letter the Acting Secretary of the Interior Department, asking certain information as to the Territorial expenses of the Courts of Utah Territory, I would say that the Act of Congress of June 23, 1874, entitled, "An Act in relation to Courts and Judicial Officers in the Territory of Utah," 18 St. at L., p. 253, provided that the officers of the United States could "attend all the courts of record, having jurisdiction of offenses as well under the laws of the Territory as of the United States," and that "the courts and expenses of all prosecutions for offenses against any law of the Territorial Legislature should be paid out of the treasury of the Territory."

The United States, since the enactment of the above law; has made appropriations for the expense of the

Territorial courts in Utah—stipulating generally in the appropriation act that the amount was to be reimbursed to the United States by the Territory. For instance, in the act of March 3, 1875, making appropriations for the Territory of Utah, 18 St. at Large, p. 358, it is provided “this appropriation may be used under the direction of the Department of Justice to defray the judicial expenses of the Supreme and District Courts of said Territory, and until such reimbursement shall be fully made, no member or officer of said Legislative Assembly shall be entitled to any compensation, or allowance out of any money of the United States.” And again, in the Act of March 3, 1879, making appropriation for expenses of Territorial courts in Utah, 20 St. at L., p. 398, “this appropriation may be used, under the direction of the said department (Dept. of Justice), to defray the judicial expenses of the Supreme and District Courts of said Territory; and the amount so used shall be reimbursed to said appropriation out of the treasury of said Territory.”

Under the head of “Expenses of Territorial courts in Utah,” there has been expended by the United States in behalf of the Territory, as follows:

Fiscal years 1875 and 1876	\$ 20,068.23
Fiscal year 1877	21,765.95
“ 1878	28,297.68
“ 1878 and prior years,.....	1,037.98
“ 1879	27,498.47
“ 1879 and prior years,.....	759.01
“ 1880	28,877.76
“ 1880 and prior years,.....	12.00
“ 1881	28,954.90
“ 1881 and prior years,.....	6.44
“ 1882	23,239.80
“ 1882 and prior years,.....	54.50
“ 1883	28,830.26
“ 1884	31,736.96
“ 1885	26,000.00

It will thus be seen that the total amount expended to this time on the above account, not including the current fiscal year nor the claims that are now in this

office awaiting a deficiency appropriation, is \$267,139.94.

The letters of Hons. Eli H. Murray, Governor of Utah, and H. L. Muldrow, Acting Secretary of the Interior, are returned herewith.

Very respectfully,

M. J. DURHAM,
Comptroller.

On motion of Mr. Clark, the communication was received and referred to the Committee on Claims and Public Accounts.

COMMUNICATION FROM THE TERRITORIAL TREASURER.

TERRITORIAL TREASURER'S OFFICE,
Salt Lake City, Utah, Jan. 15, 1886.

To the Legislative Assembly of the Territory of Utah:

GENTLEMEN:—I beg leave to report that there has been presented for payment at my office, Auditor's warrant No. 4330, drawn on the Treasurer of Utah Territory, dated December 11, 1875, in favor of L. W. Roundy, on account of Harrisburg and Bellevue road, for the sum of \$80.50; and

WHEREAS, By resolution of the Governor and Legislative Assembly of the Territory of Utah, approved March 13, 1884, I am forbidden to pay any warrant issued prior to January 1, 1876, but register the same, and report the same to the next succeeding Legislative Assembly. I have, therefore, the honor to report the same to your honorable body, and inquire what your pleasure may be in the premises.

Respectfully,

JAMES JACK,
Territorial Treasurer.

On motion of Mr. Howell, the communication was referred to the Committee on Appropriations.

COMMUNICATION FROM THE AUDITOR OF PUBLIC ACCOUNTS.

Hon. W. W. Riter, Speaker, and Members of the Legislative Assembly:

GENTLEMEN:—I have the honor to hand you here-with a statement of the incidental expenditures for the Auditor's and Treasurer's offices, for the years 1884-5, from which it will be seen the expenditures exceeded the appropriations of March 31, 1885, for that purpose, in the sum of \$124.60.

An appropriation for the above amount is respectfully requested.

Very respectfully,

N. W. CLAYTON,
Auditor Public Accounts.

On motion of Mr. King, the communication was received and referred to the Committee on Public Accounts.

MESSAGE FROM THE COUNCIL.

Council Chamber,
Jan. 15, 1886.

Mr. Speaker;

I am directed to inform your honorable body that the Council has this day passed the following bills, viz: C. F. No. 3, a bill amending an Act incorporating the city of Smithfield, in Cache County.

C. F. No. 1, amending Section 14, Chapter XXIX., Session Laws of 1880.

C. F. No. 7, amending Sections 4 and 5, Chapter XLV., Session Laws of 1884.

Which are herewith forwarded for your consideration.

Respectfully,

V. L. HALLIDAY,
Clerk pro tem.

On motion of Mr. Thurman, C. F. No. 3, "A bill amending an Act incorporating the city of Smithfield, in Cache County," was referred to the Committee on Municipal Corporations and Towns.

On motion of Mr. Thurman, C. F. No. 1, amending Section 14, Chapter XXIX., Session Laws of 1880, was received and referred to the Committee on Highways.

On motion of Mr. Thurman, C. F. No. 7, amending Sections 4 add 5 of Chapter XLV., Session Laws of 1884, was referred to the Committee on Private Corporations.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Hatch.—A bill governing the herding of stock.

Read by its title, and referred to the Committee on Live Stock.

By Mr. Wooley.—A bill to amend Section 10, Chapter VI., Session Laws, 1884.

Read by its title and referred to the Committee on Agriculture and Irrigation.

By Mr. King.—A bill further providing for the punishment of sexual crimes.

Read first time, and referred to the Committee on Judiciary.

By Mr. King.—A bill providing for the establishment of free public libraries.

Read the first time and referred to the Committee on Education.

By Mr. Creer.—A bill amending Chapter 49, Session Laws of 1884, in relation to irrigation.

Read by its title, and referred to the Committee on Agriculture and Irrigation.

By Mr. Thurber.—An act amending the charter of the City of Richfield, Sevier County.

Read by its title, and referred to the Committee on Municipal Corporations and Towns.

COMMUNICATION FROM THE AUDITOR OF PUBLIC ACCOUNTS.

Salt Lake City, January 18th, 1886.

Hon. Wm. W. Riter, Speaker, and Members of the Legislative Assembly:

GENTLEMEN:—I have the honor to report, that under Chapter XLII. of the Session Laws of 1882, entitled "An Act to provide for the purchase and distribution of bound copies of the Utah Reports," the Auditor purchased the number of Utah Reports therein mentioned; and that they have been distributed as directed. I therefore have on hand for the use of the Legislative Assembly, five copies of the third, and six copies each of the first and second Utah Reports; also seven copies of the third Utah, reserved for distribution by the Legislative Assembly, under the act above referred to.

Very respectfully,

N. W. CLAYTON,
Auditor of Public Accounts.

On Motion of Mr. King, the communication was accepted, and placed on file for future reference.

MESSAGE FROM THE COUNCIL.

Council Chamber,
Jan. 18, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day appointed a substitute in lieu of H. R. No. 12, providing for the compilation of laws which has passed the Council under suspension of the Rules, and is herewith forwarded for your action thereon.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

On motion, the Clerk read the substitute resolution.

On motion of Mr. Creer, the resolution was received, and referred to the Committee on Judiciary.

On motion of Mr. Hatch, H. F. No. 3, "A bill amending the Act regulating the mode of procedure in criminal cases," passed its second reading.

On motion, the rules were suspended, the bill was read the third time, and passed.

Ayes—Anderson, Clark, Creer, Baty, Cannon, Farnsworth, Hatch, Houston, Howell, King, Kimball, Lund, McCullough, McLaughlin, Rider, Stratford, Stuart, Smoot, Thurber, Thurman, Woolley, West and Young—23.

Noes—None.

RESOLUTION.

The following was presented by Mr. Thurman :

Jan. 18, 1886.

Resolved, by the House, the Council concurring, that each clerk of the several District Courts in the Territory of Utah be, and are hereby requested, to furnish prior to the fifth day of February, 1886, to the present session of the Legislature, the following information; to-wit:

1st.—The amount of fines and forfeitures collected in the District Court of which he is clerk during the years 1884 and 1885.

2d.—The number of days occupied in civil and criminal business respectively in each term of said Court during the years 1884 and 1885.

3d.—Whether jurors and witnesses have been allowed per diem and mileage under the laws of this Territory for every day of their actual attendance, and whether any portion of said time has been occupied by United States business, and if so, how much.

4th.—Whether any grand jurors competent to act upon Territorial business, have been discharged because of incompetency to sit upon United States cases, and whether said jurors have received per diem and mileage under the laws of this Territory.

Resolved, That said clerk for preparing and furnishing said information, shall receive five dollars per day for the time necessarily spent in said service.

Resolved, That the Chief Clerk of the House be, and is hereby, instructed to forthwith furnish to each District Clerk in this Territory, a copy of this resolution.

THURMAN.

On motion of Mr. Thurman, the resolution was adopted.

MISCELLANEOUS BUSINESS.

Mr. Smoot presented the biennial report of the Directors of the Territorial Insane Asylum. The Speaker stated that the law required the presentation of this report during the first week of the session, and that it was handed to him on Friday last, but a motion to adjourn precluded its presentation at that time.

The report was received and referred to the Committee on Asylum for the Insane, without reading.

On motion of Mr. Creer, the House adjourned until to-morrow, at 2. p. m.

Benediction by the Chaplain.

NINTH DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Tuesday, Jan. 19, 1886.

2 p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of the 18th inst., read, amended and approved.

COMMUNICATION FROM THE PRESIDENT OF THE BOARD OF
DIRECTORS OF THE TERRITORIAL INSANE ASYLUM.

Office of Directors of Territorial Insane Asylum,
Provo, Jan. 19th, 1886.

*To the Governor and Legislative Assembly of the Territory
of Utah:*

GENTLEMEN:—The Board of Directors of the Territorial Insane Asylum, hereby respectfully extend to your honorable body an earnest invitation to visit the Asylum, in a body, at as early a date as is consistent with your duties.

Very Respectfully,
WARREN N. DUSENBERRY,
President of Board.

On motion of Mr. Hatch, the invitation was accepted, and Friday, the 29th inst., was designated as the day to make the visit.

The Speaker announced the following changes in standing committees: King removed from the Committee on Militia; McCullough transferred from Agriculture and Irrigation to Militia; Kimball substituted for McCullough on Agriculture and Irrigation.

MESSAGE FROM THE COUNCIL.

Council Chamber,
Jan. 19, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day concurred in H. R. 15 (concurrent), relative to information to be supplied by Clerks of District Courts of the Territory, with one amendment, and the same is herewith forwarded to you for your action thereon.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

The amendment was read.

Mr. Thurman moved that the House do not concur.
Carried.

PRESENTATION OF PETITION.

By Mr. Thurber—A petition signed by Andrew Heppler, and 142 other residents of Sevier County, asking for an appropriation of \$1,000 to assist in repairing the road through Clear Creek Canyon.

Read and referred to the Committee on Highways.

REPORT OF STANDING COMMITTEE.

Mr. Hatch, chairman of the Committee on Judiciary, presented the following:

Jan. 19, 1886.

Mr. Speaker:

The Committee on Judiciary, to whom was referred Council substitute for H. R. No. 12, recommend that the House do not concur in the proposed amendment, and that the House adhere to its original resolution.

HATCH,
Chairman.

On motion of Mr. Creer, the report was adopted.

Mr. Smoot, chairman of the Committee on Asylum for the Insane, presented the following:

Committee Room,
January 19, 1886.

Mr. Speaker:

Your Committee on Asylum for the Insane, to whom was referred the biennial report of the Board of Directors and the Annual Report of the Medical Superintendent of the Territorial Insane Asylum, have had the same under consideration, and we recommend that

one thousand copies of said report, with By-Laws and Regulations be ordered printed.

Respectfully,

W. C. A. SMOOT, JR.

Chairman.

On motion of Mr. King, the report was adopted, and the Board of Directors of the Territorial Insane Asylum was authorized to make a distribution of the copies ordered printed, provided that 200 copies be placed in the hands of the Territorial Auditor, for the use of future legislative Assemblies.

MESSAGE FROM THE COUNCIL.

Council Chamber,

January 19, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day accepted the invitation of the Board of Directors of Territorial Insane Asylum, and concurred in the action of your honorable body, designating January 29th as the day to visit the Asylum.

Respectfully,

HEBER M. WELLS,

Chief Clerk.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Cannon—A bill to lessen the terms of sentence of convicts for good conduct.

Read by its title, and referred to the Committee on Reform Schools.

By Mr. McLaughlin—A bill punishing offenses against chastity, morality and decency.

Read by its title, and referred to the Committee on Judiciary.

By Mr. McLaughlin—A bill amending the Charter of Park City.

Read by its title, and referred to the Committee on Municipal Corporations and Towns.

MESSAGE FROM THE COUNCIL.

Council Chamber,
January 19, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council insists on its amendment to H. R. No. 15, concurrent, relating to statements from District Clerks, and respectfully asks a Committee of Conference.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

On motion the Committee on Conference was granted, and the Chair appointed Messrs. Thurman, King and Stratford as a committee to act in behalf of the House.

By request of Mr. Young, House Rule 34 was read by the Clerk.

MOTIONS AND RESOLUTIONS.

By Mr. Smoot:

Resolved, By the Governor and Legislative Assembly of the Territory of Utah, that whereas the Territorial Treasurer has in his possession for distribution 200 copies of Jos. A. West's new and revised Maps of Utah, the same being the property of the Territory of Utah, therefore the Auditor of Public Accounts is hereby instructed and required to distribute said maps as follows, to wit:

To the Governor and Secretary of the Territory, one copy each; to the Clerk of the Supreme Court of Utah, one copy; to the Clerks of the District Courts, one copy each; to the Territorial Treasurer, Auditor, Librarian, Marshal and Surveyor General, one copy each; to the Probate Judges of the several counties of Utah, one copy each; to the County Recorders, one copy each; to the Penitentiary, two copies; to the University of Deseret, five copies; to the Territorial and County

Superintendents of District Schools, one copy each; to the County Assessors and Collectors and County Surveyors, one copy each; to the Sheriffs of the Counties, one copy each; to the Territorial Insane Asylum, two copies. Provided that the officers above enumerated transfer to their successors in office the above mentioned maps.

The resolution was laid on the table.

By Mr. Howell.

Mr. Speaker:

I move that the Sergeant-at-Arms be instructed to procure from the Territorial Librarian three copies each of the first, second and third Utah Reports, for the use of this House.

Adopted.

MESSAGE FROM THE COUNCIL.

Council Chamber,
Jan. 19, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council insists upon the substitute resolution passed by it January 18th, in lieu of H. R. No. 12, and herewith returns the same to the House, with a request for a Committee of Conference.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

On motion of Mr. Creer, the House concurred, and granted a Committee on Conference.

The Speaker appointed Messrs. Creer, West, Baty, Woolley and Young, as a committee to act in behalf of the House.

MESSAGES FROM COUNCIL.

Council Chamber,
Jan. 19, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has appointed a committee consisting of Councilors Hammond, Barton and Taylor, to confer with House Committee relative to H. R. No. 15, concurrent, pertaining to statements from District Clerks.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

On motion of Mr. Smoot, H. R. No. 16, providing for the distribution of maps, passed its second reading.

On motion of Mr. Howell, the resolution was referred to the Committee on Counties.

MISCELLANEOUS BUSINESS.

Mr. Thurman, in behalf of the Committee on Conference, presented the following:

Jan. 19, 1886.

Mr. Speaker:

Your committee appointed to confer with Council committee, relative to Council amendment to House concurrent resolution providing reports of District Clerks, report that said committee unanimously recommend that the resolution be amended by making the time within which the clerks are requested to report, the 5th of February, A. D. 1886.

THURMAN,
Chairman.

Adopted.

On motion of Mr. King, the House adjourned until to-morrow evening at 7 o'clock.

Benediction by the Chaplain.

TENTH DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Wednesday, Jan. 20, 1886.

7. p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll call—quorum present.

Prayer by the Chaplain.

Journal of the 19th inst., read, amended and approved.

MESSAGE FROM COUNCIL.

Council Chamber,
Jan. 19, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day appointed the following named on the part of the Council to confer with a like committee from the House relative to H. R. No. 12 (joint) and the Council's substitute therefor: Councilors Sharp, Barton, Taylor, Shurtliff, Tuttle.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Council Chamber,
January 19, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day adopted the report of Conference Committee relative to H. R. concurrent No. 15, with amendment, and the same is herewith forwarded for your action upon said amendment.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

PRESENTATIONS OF PETITIONS.

By Mr. King—In behalf of John W. Turner, asking for a reimbursement of money expended in the third and fourth trials of Frederick Hopt.

Read by the Clerk, and referred to the Committee on Claims and Public Accounts.

REPORTS OF STANDING COMMITTEES.

Mr. King, Chairman of the Committee on Agriculture and Irrigation, presented the following:

Mr. Speaker:

Your Committee on Agriculture and Irrigation, to whom was referred H. F. No. 14, having had the same under advisement, beg leave to report the same back, and offer the enclosed "substitute bill," entitled "a bill amending Section 21, Chapter XLIX., of the Session Laws of 1884, in relation to irrigation companies," and ask that it be accepted in lieu of said H. F. No. 14, and recommend its passage.

W. H. KING,
Chairman.

On motion of Mr. Kimball, the report was adopted. Mr. Kimball, Chairman of the Committee on Live Stock, presented the following:

Jan. 20, 1886.

Mr. Speaker:

Your Committee on Live Stock, to whom was referred H. F. No. 10, after due consideration, report adversely thereon, and recommend that the bill be not passed.

Respectfully,
JOSEPH KIMBALL,
Chairman.

Adopted.

On motion of Mr. Creer, H. F. No. 12 and H. F. No. 17 were ordered printed for the use of members.

INTRODUCTION AND FIRST READING OF BILLS.

Substitute for H. F. 14, a bill amending Chapter XLIX., Session Laws of 1884, in relation to irrigation.

By Mr. Lund.—A bill to establish a Territorial reform school.

Read by its title, and referred to the Committee on Penitentiary and Reform Schools.

MOTIONS AND RESOLUTIONS.

At his own request, Mr. Baty was excused from acting on the Committee on Conference in relation to H. F. No. 12, and Mr. Thurman was appointed to act in his stead.

On motion of Mr. Howell, the report of the Committee on Agriculture and Irrigation, in relation to offering a substitute bill for H. F. No. 14 was reconsidered.

The report of the committee was rejected, and the original was placed on file for second reading.

MESSAGES FROM THE COUNCIL.

Council Chamber.

Jan. 20, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed C. F. No. 6, amending Section 5, Chapter XXV., Laws of 1884, which is herewith forwarded for your action thereon.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

Council Chamber.

Jan. 20, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed the following bills:

H. F. No. 3, amending an Act regulating the mode

of procedure in criminal cases, with the title amended, which is herewith returned for your action on said amendments.

C. F. No. 18, prescribing the punishment for a misdemeanor, which is herewith forwarded for your action.

Respectfully,

HEBER M. WELLS.

Chief Clerk.

SECOND READING OF BILLS.

Substitute for H. F. 14, a bill amending Chapter XLIX., Session Laws of 1884, in relation to irrigation.

The bill passed its third reading under a suspension of the rules.

On motion of Mr. Thurman the bill passed.

Ayes—Anderson, Baty, Clark, Creer, Cannon, Farnsworth, Hatch, Houston, Howell, King, McCullough, McLaughlin, Rider, Stuart, Smoot, Thurber, Thurman, Woolley, Young, Lund and Kimball—21.

Noes—None.

Absent—Stratford and West—2.

MISCELLANEOUS BUSINESS.

On motion of Mr. Howell, the Council message referring to H. F. No. 3, was taken up for consideration.

On motion of Mr. Thurman, the House concurred in the amendment.

On motion of Mr. Thurman, C. F. No. 6 was referred to the Committee on Judiciary.

On motion, C. F. No. 18 was read, and referred to Committee on Judiciary.

On behalf of the Committee on Printing, Mr. Cannon stated that the reports of the Directors and Medical Superintendent of the Territorial Insane Asylum would be printed, and ready for use within one week.

On motion of Mr. Thurman, the House adjourned until to-morrow at 2 p. m.

Benediction by the Chaplain.

ELEVENTH DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Thursday, Jan. 21, 1886.

2 p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of the 20th inst. read, amended and approved.

PRESENTATION OF PETITIONS.

By Mr. Thurman—A petition from Jas. A. Grant, and forty-four other residents of Pleasant Grove, Utah County, asking for a change in the corporate limits of their city.

Read by the Clerk, and referred to the Committee on Municipal Corporations and Towns.

By Mr. Rider—The Biennial Report of the Territorial Superintendent of District Schools.

Read by its caption, and referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES.

Mr. Hatch chairman of the Committee on Judiciary, presented the following:

Committee Room,
Jan. 21, 1886.

Mr. Speaker:

The Committee on Judiciary, to whom was referred C. F. 6, return the same with the following amendment: (Section 5), by adding the word "orchard," after the

word "farm," in the third line of said section, and that bill, as amended, be put upon its passage.

HATCH.
Chairman.

Adopted.

Mr. Hatch, chairman of the Committee on Judiciary, presented the following:

Committee Room
Jan. 21, 1886.

Mr. Speaker:

The Committee on Judiciary, to whom was referred C. F. No. 18, having had it under consideration, report the same back, and recommend it to be put upon its passage.

HATCH.
Chairman.

Adopted.

Mr. Hatch, chairman of the Committee on Counties presented the following:

Jan. 21, 1886.

Mr. Speaker:

The Committee on Counties, to whom was referred H. R. No. 16, recommend that the same be amended by striking out the word "collectors," in the twenty-fourth line, and by adding after the word "maps" in the last line, the following:

And the Territorial Treasurer is hereby instructed to reserve four of the maps remaining in his possession after the distribution contemplated by this resolution, and sell the others at five dollars per copy, and cover the proceeds of said sale into the Territorial Treasury.

HATCH,
Chairman.

Adopted.

COMMUNICATION FROM THE AUDITOR OF PUBLIC ACCOUNTS.

TERRITORIAL AUDITOR'S OFFICE.

To the Honorable the Legislative Assembly of the Territory of Utah:

GENTLEMEN:—The appropriation of \$40,000 of March 13, 1884, for the payment of jurors and witnesses in the District Courts of the Territory, for the years 1884–85 was apportioned on the same basis as that of the appropriation made for the same purpose, for the years 1882–83, which proved to be just and equitable, according to the proportionate deficiency at the close of the year 1883, as will be seen by reference to my report of two years ago. The appointment for the years 1884–85, does not, however, seem to have been so satisfactory, as the amounts apportioned to the First and Third Judicial Districts were exhausted in June last, while the amount apportioned to the Second District lasted until the end of the year 1885, leaving only a small amount of certificates outstanding. This is accounted for in part from the fact that the judge of the Second Judicial District held, that the jurors being summoned under a Federal law, their mileage is justly chargeable to the United States and not to the Territory, thus making the amount apportioned to his District last during the whole two years, 1884–85.

Under the present statute defining how jurors and witnesses shall be paid, the Auditor is not authorized to pay services of jurors and witnesses until the end of each term of court, or until the returns for the court are furnished the Auditor, duly certified to by the Judge, and in case jurors and witnesses happen to be summoned to serve during the latter part of the second year, when the appropriation is nearly exhausted, their chances for obtaining warrants for their services are very poor. It is well known that most of the parties summoned to attend the courts are in poor circumstances, and depend largely on their fees and mileage to pay their return expenses home. When informed that

the Auditor can do nothing for them until the returns of the court are received, or worse, that the appropriation is exhausted, and nothing can be done with their certificates of service until the Legislature makes provision for their payment, they are forced to dispose of them at such price as they can obtain, which is often not more than 50 per cent. of their face value. I would suggest, for your consideration, the advisability of making the per diem and mileage of jurors and witnesses conform to the United States Fee Bill, and provide for their payment in cash. This could easily be done by requiring the Treasurer to set aside from the first funds received by him, a sum equal to the amount appropriated for that purpose. This would be more satisfactory to the parties serving than the present per diem and mileage, which is paid to them in Auditor's warrants which are frequently below par.

The total amount of unpaid certificates in circulation for the years 1884-85, is \$22,068.22, divided as follows: First District, \$12,464.24; Second District, \$808.30; Third District, \$8,795.68; making the total expense for the three District Courts for the years 1884-85, \$62,068.22, or 30 per cent. of the Territorial revenue. It will require not less than \$65,000 to pay the expenses of jurors and witnesses for the years 1886-87, in addition to the deficiency of \$22,068.22.

I desire to call your attention to the fact that there are a number of unpaid certificates for services in *civil* cases during the years 1882-83 still outstanding. These certificates were included in the Auditor's report of two years ago, and were covered by the amount appropriated under Section 8 of the general appropriation bill, approved March 13, 1884, but owing to the clause in said section making the appropriation only apply on services in criminal cases, the Auditor refused to pay the civil certificates above mentioned. The total amount of such certificates will not exceed the sum of \$1,000, and as they were the only certificates issued during the years 1882-83 that designated the kind of service performed, and therefore the only ones that were not paid from said appropriation, your action is respectfully requested to enable the Auditor to pay

them without violating said section of the appropriation bill.

I would also suggest that the appropriation for court expenses for the years 1886-87 be made to the respective districts direct, thus relieving the Auditor from the obligation of apportioning the amount.

Very respectfully,

NEPHI W. CLAYTON,

Auditor Public Accounts.

On motion of Mr. Clark, the report was received and referred to the Committee on Judiciary.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. King.—A bill to encourage the growth of timber.

Read first time, and referred to the Committee on Agriculture and Irrigation.

By Mr. Smoot.—A bill providing for the protection of animals from injury by the use of barbed wire in the construction of fences.

Read first time, and referred to the Committee on Agriculture and Irrigation.

By Mr. West.—A bill to authorize the incorporation of companies for the construction of union railroad stations and depots, with the necessary connecting tracks, and for the management of the same.

Read by its title, and referred to the Committee on Private Corporations.

By Mr. West.—A bill amending an Act entitled, "An Act revising the Code of Civil Procedure of Utah Territory," approved March 13, 1884.

Read first time, and referred to the Committee on Judiciary.

By Mr. Anderson.—A bill to prevent the spread of malignant diseases among sheep.

Read by its title, and referred to the Committee on Live Stock.

SPECIAL ORDER.

H. F. No. 9 (substitute), "A bill for the selection and

payment of jurors," passed to its third reading, by sections.

After being amended in Sections 1, 4 and 6, further discussion on the bill was postponed, and it was made the special order for to-morrow.

MOTIONS AND RESOLUTIONS.

Mr. Rider presented the following:

Resolved, That a committee of three be appointed to draft resolutions of respect to the late Hon. William Jennings, and that the same to be spread upon the minutes of this House.

RIDER,

Adopted, and the Speaker appointed Messrs. Rider, West and King, as said committee.

On motion of Mr. Hatch, the House, at 4 p. m., adjourned until Friday, at 2 o'clock p. m.

Benediction by the Chaplain.

TWELFTH DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Friday, Jan. 22, 1886.

2 p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of the 21st inst., read, amended and approved.

The Speaker stated that he had received information from Hon. W. N. Dusenberry, President of the Board of Directors of the Territorial Insane Asylum, that Mr. Bancroft, of the D. & R. G. Ry., had tendered the use of a special train to convey the members of the Legislative Assembly to Provo, on Friday next, and

that 1 o'clock p. m. was suggested as the hour for leaving this city.

On motion of Mr. Smoot, the arrangements and time fixed by Mr. Dusenberry, were acceded to.

COMMUNICATION FROM THE AUDITOR OF PUBLIC ACCOUNTS.

OFFICE OF AUDITOR OF PUBLIC ACCOUNTS,
Salt Lake City, January 22, 1886.

To the Honorable the Legislative Assembly of the Territory of Utah:

GENTLEMEN:—I have the honor to hand you by bearer, county financial reports of Beaver, Box Elder, Cache, Davis, Emery, Juab, Morgan, Millard, Piute, Rich, Summit, Salt Lake, Sevier, Tooele, Utah, Uintah, Washington and Weber, for the years 1884–85; also Garfield, Iron and San Juan, for the year 1885, and Sanpete, for the year 1884. Circular letters have been forwarded to all the clerks, who have failed to send in their financial reports, requesting them to forward them immediately. As soon as received, I will hand them in.

I also hand you bills of the clerks, of the First and Third Judicial District Courts for services performed in cases in which the Territory is liable for the years 1884–85; also claim of Zera Snow, ex-Assistant District Attorney, for collecting fines in the Second Judicial District.

Very Respectfully.

N. W. CLAYTON,
Auditor Public Accounts.

On motion of Mr. King, the communication, together with the accompanying documents, were received and referred to the Committee on Claims and Public Accounts.

PRESENTATION OF PETITIONS.

By Mr. Thurber—A petition from Geo. Brinkerhoof and 179 other residents of southern Utah, asking that an appropriation of \$3000 be made to be used in the construction of a road from Freemont to Bluff City.

Read by the Clerk and referred to the Committee on Highways.

REPORT OF STANDING COMMITTEE.

Mr. Creer, Chairman of the Committee on Private Corporations, presented the following :

Committee Room,
January 22, 1886.

Mr. Speaker:

The Committee on Private Corporations, to whom was referred Council file No. 7, having considered said bill, return the same, and recommend that it be put upon its passage.

CREER,
Chairman.

Adopted.

REPORT OF SELECT COMMITTEE.

Mr. Thurman, in behalf of the House Conference Committee, presented the following :

Committee Room,
January 22, 1886.

Mr. Speaker:

The Special Committee appointed to confer with a like committee of the Council relative to Council substitute for H. R. No. 12, relative to compilation and publication of the laws of the Territory of Utah, respectfully report that the Joint Conference Committee unanimously recommend that said substitute be amended as follows: by striking out the names of W. W. Maughan and Adam Spiers, in the first section, and inserting the name James T. Hammond and the name of some other person whom the House may elect; also, that said section be further amended by adding thereto the following :

Said commission are hereby authorized and empowered to proceed at once upon the prosecution of

said work, and recommend from time to time during the present session of the Legislature such needed changes and corrections in existing laws as may come under their observation.

Also that section (2) of said substitute be amended by striking out the number (200) in the tenth line of said section, and inserting in lieu thereof the number (250).

Respectfully submitted,

THURMAN,
Chairman

On motion the report of the committee was accepted.

The substitute bill was read the second time by the Clerk.

The amendments proposed by the committee were read and adopted.

On motion, the report of the committee was adopted, the substitute bill was further amended, and ordered printed.

SPECIAL ORDER.

H. F. No. 9 (substitute). "A bill for the selection and payment of jurors." further amended and passed.

Ayes—Anderson, Baty, Clark, Creer, Cannon, Farnsworth, Houston, Howell, King, Kimball, Lund, McCullough, Rider, Stratford, Stuart, Smoot, Thurber, Thurman, Woolley and Young—20.

Noes—McLaughlin—1.

Absent—Hatch and West—2.

On motion of Mr. Young, the House, at 5 p. m., adjourned until Monday, at 2 p. m.

Benediction by the Chaplain.

FIFTEENTH DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Monday, Jan. 25, 1886.

2 p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of the 22nd inst. read and approved.

COMMUNICATIONS.

The Speaker stated that Gen. Alex. McD. McCook, N. W. Clayton, Esq., Hon. Alma Eldredge, Col. O. J. Hollister, James Jack, Esq., and Commissioner A. S. Paddock had acknowledged the courtesy of the freedom of the House.

MESSAGES FROM THE COUNCIL.

Council Chamber,
Jan. 22, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed C. F. No. 12, a bill amending Sections 570, 721, 722, 723, 757 and 759 Code of Civil Procedure, and the same is herewith forwarded for your action thereon.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

On motion of Mr. Thurman, C. F. No. 12 was referred to the Committee on Judiciary.

Council Chamber,
Jan. 22, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed C. F. No. 19, amending Section 18, Chapter XLV., Session Laws of 1884, and the same is herewith forwarded for your action thereon.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

On motion of Mr. Rider, C. F. No. 19 was referred to the Committee on Judiciary.

PRESENTATION OF PETITIONS.

By Mr. Thurman—A petition from E. T. Sprague, Clerk of the Territorial Supreme Court, asking that the sum of \$270 be appropriated to compensate him for unpaid fees on Territorial cases appealed from District Courts to the Supreme Court.

Referred to the Committee on Claims and Public Accounts.

REPORTS OF STANDING COMMITTEES.

By the Committee on Agriculture and Irrigation:

Mr. Speaker:

Your Committee on Agriculture and Irrigation, to whom was referred H. F. No. 21, having had the same under consideration, beg leave to report the same back with the following amendments, and recommend that it be put upon its passage.

KING.
Chairman.

Received and ordered the bill printed.
By the Committee on Enrollment.

January 22, 1886.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred concurrent resolution No. 15, relating to statements from Clerks of District Courts, respectfully report that said concurrent resolution has been correctly enrolled, and this day filed with the Auditor of Public Accounts.

Respectfully,

Jos. A. WEST,
Chairman.

Adopted.

By the Committee on Enrollment:

January 22, 1886.

Mr. Speaker:

Your Committee on Enrollment beg leave to report that House Bill No. 3, amending an "Act regulating the mode of procedure in criminal cases, approved February 22, 1878," has been correctly enrolled, and this day has been forwarded to the Governor for his approval.

Respectfully,

Jos. A. WEST,
Chairman.

Adopted.

REPORT OF SELECT COMMITTEE.

By Mr. Rider:

Committee Room,
Jan. 25, 1886.

Mr. Speaker:

Your Special Committee, to whom was intrusted the duty of preparing resolutions of respect to the late Honorable William Jennings, respectfully present the following

RESOLUTIONS OF RESPECT TO THE LATE HONORABLE
WILLIAM JENNINGS.

Whereas, In the dispensation of Divine Providence the late Honorable William Jennings has been called to a higher sphere, having departed this life on Friday, the fifteenth day of January, 1886, and

Whereas, Our departed friend and associate was worthy of our highest regard and the general esteem and affection in which he was held by the public at large, as well as by his co-laborers and intimate friends, and

Whereas, It is our duty to express in some public manner, our appreciation of his worth and efficient public services;

Therefore, be it Resolved, That the House of Representatives of the Legislative Assembly of the Territory of Utah regards the life and labors of the Honorable Williams Jennings with admiration, and his character with deep respect. Gifted with remarkable ability, his whole life and energies have been spent in developing the resources of his adopted country. As a financier, he stood pre-eminent. As a promoter of home industries he was foremost, his attention to the minutest details was remarkable, nothing seemed to escape his notice, and as a consequence he was eminently successful as evidenced by his mercantile, manufacturing and stock growing industries, which are second to none in the Territory, showing his untiring energy, industry and perseverance. As a gentleman he was courteous, affable and considerate. He was hospitable to a fault, kind and generous to the poor, no appeal for aid ever being refused.

He was a member of this Assembly, and Mayor of Salt Lake City, which position he filled with honor and ability.

We recognize his worth, we deplore his absence, and while deeply condoling with his bereaved family, and the large circle of his friends in this Territory in the great loss sustained through his departure, we rejoice in the noble record he has left, which is worthy of all em-

ulation, and will ever live in the history of the Territory of Utah.

And be it further Resolved, That five copies of these Resolutions be engrossed and presented to the family of the esteemed deceased.

JOHN RIDER,
Chairman.

On motion of Mr. Creer, the report was adopted and the resolutions ordered spread upon the minutes of the House.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. West—A bill amending an Act entitled, "An Act revising the proceedings in justices' courts, and providing for appeals to District Courts in criminal cases, approved March 13, 1884."

Read by its title, and referred to the Committee on Judiciary.

By Mr. Stratford.—A bill for an Act amending Subdivision 2 of Section 6, Chapter I., Title 1 of Chapter XLIV., Laws of Utah, 1884, entitled "An Act in relation to estates of decedents."

Read first time, and placed on general file.

SECOND READING OF BILLS.

C. F. No. 6, a bill amending Section 5, Chapter XXV., Laws of 1884.

Amendment adopted, and the bill placed on the general file.

C. F. No. 7, amending Sections 4 and 5, Chapter XLV., Laws of Utah.

Passed its second reading, and placed on general file.

C. F. No. 18, a bill prescribing the punishment for a misdemeanor.

Passed its second reading, and placed on general file.

THIRD READING OF BILLS.

H. R. No. 16 (joint), providing for the distribution of maps.

Read the third time, amended and passed.

Ayes—Baty, Clark, Creer, Cannon, Houston, Howell, King, Kimball, Lund, McCullough, McLaughlin, Rider, Stratford, Stuart, Smoot, Thurber, Thurman, Woolley, West and Young—20.

Noes—None.

Absent—Hatch, Farnsworth and Anderson—3.

H. R. No. 12 (joint), providing for compilation.

Read the third time, and recommitted to the Conference Committee.

MESSAGE FROM THE COUNCIL.

Council Chamber,
Jan. 25, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed C. F. No. 10, a bill supplemental to Section 6, Session Laws of 1884, which is herewith forwarded for your action thereon.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

C. F. No. 10 read the first time and referred to the Committee on Fish and Game.

MISCELLANEOUS BUSINESS.

On motion of Mr. Rider, the resolution referring C. F. No. 19 to the Committee on Judiciary, was reconsidered, and the bill referred to the Committee on Private Corporations.

On motion of Mr. Howell, the House, at 3:45 p. m., adjourned until to-morrow, at 2 p. m.

Benediction by the Chaplain.

SIXTEENTH DAY.

REPRESENTATIVES' HALL,
Salt Lake City, January 26, 1886.

2 p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of the 25th inst. read, amended and approved.

PRESENTATION OF PETITIONS.

By Mr. Thurman—A petition from Benjamin Bachman, asking that an appropriation of \$978.25 be made to him for fees advanced and services rendered as Deputy Clerk of the First Judicial District.

Referred to the Committee on Claims and Public Accounts.

By Mr. Hatch—A petition from Prof. White, asking for an appropriation of \$25,000 for the establishment of a Territorial school for deaf mutes.

Read by the Clerk, and referred to the Committee on Education.

By Mr. Rider—A petition from R. S. Robinson and 107 other residents of Kanab, Kane Co., asking for an appropriation of \$2,000 to be appropriated on canyon roads, etc.

Read and referred to the Committee on Highways.

By Mr. West—A petition from James Jack and Nephi W. Clayton, asking that an appropriation be made to them for services rendered in the Josiah Rogerson case.

Read by the Clerk, and referred to the Committee on Claims and Public Accounts.

COMMUNICATIONS.

Communications were received from Hon. Alex.

Ramsey, Chairman of the Utah Commission; Hon. Jos. R. Porter, Probate Judge of Morgan County; and Hon. A. B. Carleton, member of the Utah Commission, acknowledging the courtesy of the freedom of the House.

REPORT OF STANDING COMMITTEES.

By the Committee on Claims and Public Accounts :

Committee Room,
January 26, 1886.

Mr. Speaker:

The Committee on Claims and Public Accounts, to whom was referred the statement of incidental expenses of the Auditor and Treasurer for 1884 and 1885, herewith return the same, and recommend that the items for newspapers during said time, amounting to \$27.50, be rejected, and that the balance of said claim amounting to \$97.10, be allowed.

Also, said committee to whom was referred county financial reports of Beaver, Box Elder, Cache, Davis, Emery, Juab, Morgan, Millard, Piute, Rich, Summit, Salt Lake, Sevier, Tooele, Utah, Uintah, Washington and Weber Counties, for 1884 and 1885, and Garfield, Iron and San Juan Counties, for 1885, and Sanpete, 1884, respectfully report that we have considered the same, and not finding in either of them any claim against the Territory, we recommend that said statements be referred to the Committee on Counties for further consideration.

THURMAN,
Chairman.

Adopted, and the reports referred to the Committee on Counties.

REPORT OF SELECT COMMITTEE.

By the Committee on Conference.

Committee Room,
January 26, 1886.

Mr. Speaker:

The committee heretofore appointed to confer with

a like committee of the Council, relative to Council substitute for H. R. No. 12, providing for compiling the laws, respectfully report that the joint Committee unanimously recommend that said substitute be amended and passed, as noted in printed copy hereto reached.

Respectfully submitted,

THURMAN,
Chairman.

H. R. No. 12 read, and the report of the committee adopted.

At the request of Mr. Howell, the ayes and noes were called on the passage of the resolution, with the following result:

Ayes—Anderson, Baty, Clark, Creer, Farnsworth, Houston, Howell, King, Kimball, Lund, McCullough, Rider, Stratford, Stuart, Smoot, Thurber, Woolley, West and Young—19.

Noes—Cannon, Hatch, McLaughlin—3.

Excused from voting—Thurman—1.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Smoot—A bill amending Sections 4 and 10 Chapter XXXI., Laws of 1880, providing for the election of a Secretary of the Board of Directors of the Territorial Insane Asylum.

Read first time, and referred to the Committee on Asylum for the Insane.

By Mr. Kimball—A bill to amend Section 2, Chapter VI., Session Laws of 1884.

Read first time, and referred to the Committee on Fish and Game.

MOTIONS AND RESOLUTIONS.

By Mr. Rider:

Resolved, That a committee be appointed to act with a like committee of the Council, to examine and destroy redeemed Auditor's warrants.

RIDER.

Adopted.

On motion, the committee was made to consist of three persons, and the Speaker appointed Messrs. Rider, King and Lund to act in behalf of the House.

SECOND READING OF BILLS.

H. F. No. 26, a bill for an Act amending subdivision 2, of Section 6, Chapter I., Title 1 of Chapter XLIV., Laws of Utah, 1884, entitled "An Act in relation to estates of decedents."

Passed its second reading.

Read the third time under a suspension of the rules and passed.

Ayes—Anderson, Baty, Clark, Creer, Cannon, Farnsworth, Hatch, Houston, Howell, King, Kimball, Lund, McCullough, McLaughlin, Rider, Stratford, Stuart, Smoot, Thurber, Thurman, Woolley, West, Young—23.

Noes—None.

H. F. No. 21, a bill providing for the protection of animals against the use of barbed wire in the construction of fences.

Passed its second reading and placed on general file.

THIRD READING OF BILLS.

C. F. No. 18, a bill prescribing the punishment for a misdemeanor.

Read third time and passed.

Ayes—Anderson, Baty, Clark, Creer, Cannon, Farnsworth, Houston, Howell, King, Kimball, Lund, McCullough, McLaughlin, Rider, Stratford, Stuart, Smoot, Thurber, Thurman, Woolley, West, Young—22.

Noes—None.

Not voting—Hatch—1.

C. F. No. 7, a bill amending Sections 4 and 5 of Chapter XLV., Laws of 1884.

Read third time and passed.

Ayes—Anderson, Baty, Clark, Creer, Cannon, Farnsworth, Houston, Howell, King, Kimball, Lund, Mc-

Cullough, McLaughlin, Rider, Stratford, Stuart, Smoot, Thurber, Thurman, Woolley, West and Young—22.

Noes—Hatch—1.

C. F. No. 6, a bill amending Section 5, Chapter XXV., Laws of Utah.

Read the third time, and recommitted to the Committee on Judiciary.

MISCELLANEOUS.

The following communications from A. C. Emerson, Clerk of the First District Court, was received, and ordered spread upon the minutes:

Clerk's Office, First District Court, Utah,
Ogden, Utah, January 22, 1886.

To the Honorable the House of Representatives of the Territory of Utah:

SIRS:—In compliance with the written request of the Honorable the Chief Clerk of the House of Representatives of Utah Territory—there being enclosed with such request a copy of the concurrent resolutions of the House and Council—I hereby submit the following report:

I, as Clerk of the First District Court of Utah Territory, for the Ogden or Northern Division, have collected, as fines and forfeitures, the amounts as follows, for the years 1884 and 1885, viz.:

In Territorial criminal cases, the sum of \$40, to-wit: In the case of the people of the Territory of Utah against James Brown, for assault under color of authority, as per the judgment of this Court, which amount I now hold, subject to the order of the Honorable the Treasurer of Utah Territory.

I have also collected as fines, the sum of \$12, costs adjudged to be paid by defaulting witnesses and jurors, as the costs of the process issued compelling them to appear before the Court, which amounts have been duly credited in the several cases.

The foregoing amounts are all fines that have been

collected in this portion of said District during the years mentioned. I respectfully refer your honorable body to the Deputy Clerk of said District, at Provo City, for the amount of fines collected there, as he is more familiar with the business there than I am.

The number of days occupied in civil and criminal business in this portion of the District are as follows (1884 and 1885):

In the year 1884, Territorial criminal business..	31	days.
“ 1884, civil business.....	55	“
“ 1885, Territorial criminal business..	53	“
“ 1885, civil business.....	40	“

In the above I do not include the days that were devoted exclusively to United States cases—those I have charged to the proper party, the United States.

As far as possible, all those who have asked and were entitled to receive the same, witnesses and jurors, have been paid for their attendance on this Court, in this portion of the District, in Territorial criminal business. There are some who are entitled to receive per diem and traveling expenses, who have not applied for their certificates. As to the United States business, the Deputy Marshals have had complete charge of the rolls, and I refer you to the Marshal's office for the amounts that have been paid in that regard. I have no copies of those rolls, or the amounts paid by the Marshal in U. S. cases.

As to the jurors discharged from serving in U. S. cases, who were qualified to serve as jurors in Territorial cases, it is my belief that there were those discharged from serving in U. S. cases who possessed the necessary qualifications as provided in the statutes of the Territory.

There were certain questions propounded by the Assistant District Attorney that do not appear from any record that I have kept, and I respectfully refer you to the reporter's notes, where the whole proceedings of the empaneling of juries is set out at length. Those notes are filed in this office, but I am unable to decipher them.

I am confident that no witnesses or jurors have

been paid by the Territory, or have had certificates issued to them for Territorial business, when they have been called in U. S. cases. They have invariably been paid by the United States Marshal or by his Deputies. For the correctness of my assertion I respectfully refer to the records and files of this Court, and to the jury and witness rolls in the Marshal's office.

Hoping that this is answer in full to the requirements of your honorable body,

I am very respectfully,

Your obedient servant,

A. C. EMERSON,
Clerk First District Court.

COMMUNICATION FROM THE AUDITOR OF PUBLIC ACCOUNTS

Office of Auditor of Public Accounts.

Salt Lake City, January 26th, 1886.

The Honorable the Legislative Assembly:

GENTLEMEN:—I have the honor to hand you for consideration, two bills, for records furnished the Clerk of the First District Court, together with freight thereon.

I also hand you letter from Zera Snow, Esq., asking for compensation for collecting fines in the Third Judicial District.

Very respectfully,

N. W. CLAYTON,
Auditor of Public Accounts.

Bills read and referred to the Committee on Claim and Public Accounts.

COMMUNICATION FROM HIS EXCELLENCY GOVERNOR
ELI H. MURRAY.

Territory of Utah,
Executive Office,
Salt Lake City, January 25, 1886. }

Hon. W. W. Riter, Speaker House of Representatives:

Section 388 of "An Act regulating the mode o

procedure in criminal cases," provides as follows: "After conviction of an offense not punishable with death, a defendant, who has appealed, may be admitted to bail: 1—As a matter of right when the appeal is from a judgment imposing a fine only: 2—As a matter of discretion in all other cases."

The bill, now in my hands (H. F. No. 3), for approval, provides as follows:

"That section 388 of 'An Act regulating the mode of procedure in criminal cases, approved February 22d, 1878,' be repealed, and the following substituted in lieu thereof: Section 388. After conviction of an offense, not punishable with death, a defendant who has appealed, shall, upon application therefor, be admitted to bail as a matter of right.'"

With few exceptions, the rule as to the admission of a defendant to bail, after conviction, leaves the question to the discretion of the courts. Bail should be allowed, upon a proper showing to the court, when it may be done without detriment to the administration of public justice, and should be given as a matter of right by an arbitrary statute in cases only in which the peace and welfare of society may not be endangered.

Under the bill before me, a defendant convicted of murder in the second degree, or guilty of rape and other infamous crimes, may prosecute an appeal, and upon application therefor, be admitted to bail as a matter of right, and by operation of law, at once turned loose upon the society he has wronged. Under the practice governing appeals, the courts will be left powerless to control or correct this outrage upon the community.

The present law has been fully sustained, and the rights of a defendant under its provisions determined by the Supreme Court of the United States in the late case of the United States vs. Rudger Clawson. The courts have wisely exercised the discretion imposed upon them in granting and denying bail, as the merits of the case suggested, and the practice has uniformly proved of benefit in executing the law.

In my opinion, by depriving the courts of discretion in this very important feature in criminal proceedings,

and which the bill before me does, we place in the hands of those who seek to defeat the execution of the laws, the power to trifle with justice, and to delay and defeat the punishments prescribed by law against those who stand convicted of public offenses.

For these, and other reasons which present themselves, I return the bill to the House, in which it originated, without my approval.

I am sir, very Respectfully,

ELI H. MURRAY,
Governor.

Ordered spread upon the minutes.

On motion of Mr. Thurman, the Committee on Printing was instructed to negotiate for the printing of the notations on the back of bills.

MESSAGE FROM THE COUNCIL.

Council Chamber,
Jan. 26, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day concurred in the House amendments to Council substitute for H. J. R. No. 12, and the same is herewith returned.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

Council Chamber,
Jan. 26, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed: H. J. R. No. 16, providing for the distribution of West's map of Utah, with amendments.

H. F. No. 14, a bill amending Chapter XLIX., Session Laws of 1884, irrigation companies, without amendment.

And the same are herewith forwarded for your action.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

On motion of Mr. Thurman, the House concurred in the amendments, and H. J. R. No. 16, and H. F. No. 14 were referred to the Committee on Enrollment.

On motion of Mr. King, the House, at 4 p. m., adjourned until to-morrow at 2 o'clock p. m.

Benediction by the Chaplain.

SEVENTEENTH DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Wednesday, Jan. 27, 1886.

2 p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of Tuesday read, amended and approved.

MESSAGE FROM THE COUNCIL.

Council Chamber,
Jan. 26, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day adopted the accompanying report of a committee appointed by Council Concurrent Resolution, introduced at the twenty-sixth session, to act with the Territorial Librarian, and dispose of certain nearly worthless books, property of the Territory, and the same is herewith forwarded for your information.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

REPORT.

To the President and Council:

The committee appointed by joint resolution of the last Legislative Assembly to "examine and dispose of some six tons of books in custody of the Territorial Librarian, supposed to be worthless, except so far as the paper and covers are concerned," beg leave to report that they examined said books, and sold them to the Deseret News Co. to work up into paper. As will be seen by the accompanying statement there were 4,500 lbs., for which the Deseret News Co. allowed one cent per pound, and deducted \$12.00 for examining the books. Why the Territory should pay for this examination, as it was unauthorized by the Committee, they having paid \$5 for examining the books before disposing of them, the Committee do not understand. Proceeds of the sale, after deducting expenses, has been placed with the Librarian for the purchase of books, as contemplated in the resolution.

Respectfully,
H. J. RICHARDS,
Chairman.

Salt Lake City,
Jan. 14, 1886.

PRESENTATION OF PETITIONS.

By Mr. Farnsworth—A petition from the County Court of Beaver County, asking for a relief for money expended on road at Milford.

Read, and referred to the Committee on Highways.

By Mr. King—A petition from 53 residents of Deseret, Millard County, asking for an appropriation to be used in the construction of a bridge across the Sevier river, at Deseret.

Referred to the Committee on Highways.

By Mr. Lund—A petition from A. A. Anderson of Fairview, Sanpete County, asking that \$34.00 be appropriated to him to cover the amount of a jurors certificate issued to him in October of 1874.

Read, and referred to the Committee on Claims and Public Accounts.

By Mr. Woolley—A petition from Wm. Dobbie, of Sandy, Salt Lake County, asking that his name be changed from William Dobbie, to William Dobbie Kuhre.

Read, and referred to the Committee on Judiciary.

REPORT OF STANDING COMMITTEES.

By the Committee on Agriculture and Irrigation:

Committee Room,
Jan. 26, 1886.

Mr. Speaker:

Your Committee on Agriculture and Irrigation, to whom was referred H. F. No. 20, after a due consideration of the same, report it back, and offer the enclosed "substitute bill," entitled "A bill to encourage the growth of timber," and ask that it be accepted in lieu of said H. F. No. 20, and recommend its passage.

W. H. KING,
Chairman.

Report received and filed with substitute bill.

On motion of Mr. Thurman, the statement of the Auditor's and Treasurer's incidental expenses for 1884 and 1885, reported back yesterday by the Committee on Claims and Public Accounts, was referred to the Committee on Appropriations.

SECOND READING OF BILLS.

Substitute for H. F. No. 20, a bill to encourage the growth of timber.

Substitute adopted, and ordered printed.

THIRD READING OF BILLS.

H. F. No. 21, a bill providing for the protection of

animals against the use of barbed wire in the construction of fences.

Read third time, amended and lost.

Ayes—Anderson, Baty, Creer, King, Kimball, Lund, McLaughlin, Smoot—8.

Noes—Clark, Cannon, Farnsworth, Hatch, Houston, Howell, McCullough, Rider, Stratford, Thurber, Stuart, Thurman, Woolley, West, Young—15.

On motion of Mr. Young, the House, at 4:30 p. m. adjourned until to-morrow at 2 o'clock p. m.

Benediction by the Chaplain.

EIGHTEENTH DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Thursday, Jan. 28, 1886.

2 p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll call—quorum present.

Prayer by the Chaplain.

Journal of Wednesday read and approved.

PRESENTATIONS OF PETITIONS.

By Mr. Houston.—A petition from Wm. P. Willi and 133 other taxpayers of Iron County, asking for an appropriation of \$1,000, to be applied on the Kanarr and Asay Ranch road.

Read and referred to the Committee on Highways

By Mr. Smoot.—A petition from A. G. Keetch and seventy-five other citizens of Pleasant Grove, Utah County, remonstrating against the petition of Jame Grant and others, asking for a reduction of the corporate limits of Pleasant Grove City.

Read and referred to the Committee on Municipal Corporations and Towns.

By Mr. Anderson.—A petition from the Assessor and Collector of Tooele County, asking for relief for uncollected taxes.

Read and referred to the Committee on Claims and Public Accounts.

REPORTS OF STANDING COMMITTEES.

By the Committee on Judiciary:

Committee Room,
Jan. 28, 1886.

Mr. Speaker:

The Committee on Judiciary, to whom was referred C. F. No. 6, amending Section 5, Chapter XXV., Laws of Utah, 1884, an Act in relation to licenses, respectfully report that they have had the bill under consideration, and recommend the adoption of the amendments herewith submitted.

HATCH,
Chairman.

Received.

By the Committee on Judiciary:

Committee Room,
Jan. 28, 1886.

Mr. Speaker:

Your Committee on Judiciary, to whom was referred the petition of William Dobbie, asking for change of name, report the same back without action thereon, for the following reasons: In the Code of Civil Procedure, Title VIII., Laws of 1884, provisions are made that all applications for change of name are to be made to the District Court of the district of which the applicant is a resident, therefore the courts are the proper places for all applicants to present their petitions.

HATCH,
Chairman.

Adopted.

By the Committee on Private Corporations:

Committee Room,
Jan. 28, 1886.

Mr. Speaker:

Your committee on Private Corporations, to whom was referred Council File No. 19, a bill amending Section 18, Chapter XLV., Session Laws of 1884, beg leave to report favorably upon said bill, and ask that it be put upon its passage.

CREER,
Chairman.

Adopted.

By the Committee on Enrollment:

Committee Room
Jan. 27, 1886.

Mr. Speaker:

Your Committee on Enrollment beg leave to report that H. J. R. No. 12, providing for the compilation and publication of the Laws of the Territory; H. J. R. No. 16, providing for the distribution of West's maps, and H. F. No. 14, amending Chapter XLIX., Session Laws of 1884, in relation to irrigation companies, have been correctly enrolled, and this day forwarded to the Governor for his action thereon.

Respectfully, etc.,

JOS. A. WEST,
Chairman.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Farnsworth—A bill regulating the branding, herding and care of stock and punishing certain offenses concerning same.

Read the first time, and referred to the Committee on Live Stock.

By Mr. West—A bill amending Section 388, Chapter I., Laws of Utah, 1878.

Read the first time, and referred to the Committee on Judiciary.

MOTIONS AND RESOLUTIONS.

Mr. Cannon moved that when the House adjourn, it be until to-morrow at 10 o'clock a. m.

Carried.

SECOND READING OF BILLS.

C. F. No. 19, a bill amending Section 18, Chapter XLV., Session Laws of 1884.

Read the second time, and placed on general file.

THIRD READING OF BILLS.

C. F. No. 6, a bill amending Section 5, Chapter XXV., Laws of Utah, 1884.

Read the third time, amended and passed.

Ayes—Anderson, Baty, Clark, Cannon, Hatch, Houston, King, Kimball, Lund, McCullough, Rider, Stratford, Stuart, Smoot, Thurber, Woolley, West, Young—18.

Noes—Creer, Farnsworth, Howell, McLaughlin—4.

Absent—Thurman—1.

MESSAGE FROM COUNCIL.

Council Chamber,
Jan. 28, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed H. F. No. 9, a bill for the selection and payment of jurors, with amendments, which is herewith returned for your action on said amendments.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

On motion of Mr. Howell, the House concurred in the amendments.

COMMUNICATION FROM HIS EXCELLENCY GOVERNOR
ELI H. MURRAY,

Territory of Utah,
Executive Office,
Salt Lake City, January 28, 1886. }

Hon. W. W. Riter, Speaker House of Representatives:

SIR.—I have the honor to lay before you the accompanying official copy of a communication from His Honor L. Q. C. Lamar, Secretary of the Interior, for the information of the Legislative Assembly.

I am, very respectfully,

ELI H. MURRAY,
Governor.

Communication received, and accompanying documents referred to the Committee on Ways and Means.

MESSAGES FROM THE COUNCIL.

Council Chamber,
January 28, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed C. F. No. 23, a bill amending Sections 194 and 196, Code of Civil Procedure and the same is now forwarded for your action thereon.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

Bill read by its title and referred to the Committee on Judiciary.

Council Chamber,
Jan. 28, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed C. F. No. 22, a bill

to provide for assignments of insolvent debtors, and the same is now forwarded for your action thereon.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

Bill read by its title, and referred to the Committee on Manufacture and Commerce.

On motion of Mr. Cannon, substitute for H. F. 20, a bill to encourage the growth of timber, was made the special order for Monday.

MISCELLANEOUS.

Communications were received from the Hon. the Mayor and City Council of Salt Lake City, and Hon. Wm. C. McGregor, Probate Judge of Iron County, acknowledging the courtesy of the freedom of the House.

On motion of Mr. Stratford, the House, at 4:15 p. n., adjourned until to-morrow at 10 o'clock a. m.

Benediction by the Chaplain.

NINETEENTH DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Friday, Jan. 29, 1886.

10 a. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of Thursday read, amended and approved.

PRESENTATION OF PETITIONS.

By Mr. Stratford—A petition from A. C. Smith and seventy-two other citizens of Weber County, asking

that an amendment be made to the Territorial game law, allowing the shooting of quail during the month of October in each year.

Referred to the Committee on Fish and Game.

By Mr. Hatch—A petition from the County Collector of Uintah County, asking to be reimbursed in the sum of \$60.50.

Referred to the Committee on Claims and Public Accounts.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Woolley—A bill to amend Subdivision 1, Section 196, Chapter III., Session Laws of 1884.

Read by its title, and referred to the Committee on Judiciary.

By Mr. Howell—A bill amending an Act incorporating the city of Smithfield, Cache County.

Read by its title, and referred to the Committee on Municipal Corporations and Towns.

By Mr. Kimball—A bill entitled "An Act to restrain bulls from running at large during certain seasons of the year.

Read first time, and referred to the Committee on Live Stock.

MOTIONS AND RESOLUTIONS.

Mr. Stratford moved that when this House adjourns it be until Monday, at 2 o'clock p. m.

Carried.

THIRD READING OF BILLS.

C. F. No. 19, a bill amending Section 18, Chapter XLV., Session Laws of 1884.

Pending the discussion, the bill, on motion of Mr. Stratford, was made the special order for Tuesday.

MESSAGE FROM THE COUNCIL.

Council Chamber,
Jan. 29, 1886.

Mr. Speaker:

I am directed to inform your honorable body that

the Council has this day passed C. F. No. 13, a bill providing for a Territorial Board of Equalization, and the same is now forwarded for your action thereon.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Bill received and placed on general file.

On motion of Mr. Baty, the House, at 11 a. m.,
adjourned until Monday, at 2 o'clock p. m.

Benediction by the Chaplain.

TWENTY-SECOND DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Monday, Feb. 1, 1886.

2 p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of Friday read and approved.

COMMUNICATION.

A communication was received from Hon. Edwin G. Woolley, Probate Judge of Washington County, acknowledging, with thanks, the courtesy of the freedom of the House.

On motion, Messrs. Lund, of San Pete County, and McLaughlin, of Summit County, were excused from being present at to-day's session.

REPORTS OF STANDING COMMITTEES.

By the Committee on Enrollment:

Committee Room,
Jan. 30, 1886.

Mr. Speaker:

Your Committee on Enrollment beg leave to report

that House File No. 9, "An Act for the selection and payment of jurors, has been correctly enrolled, and this day, at 11 a. m., forwarded to His Excellency the Governor for approval.

Respectfully, etc.,
Jos. A. WEST,
Chairman.

By the Committee on Ways and Means:

Committee Room,
Feb. 1, 1886.

Mr. Speaker:

The Committee on Ways and Means have had the communication of His Excellency Governor Murray, under consideration, and beg leave to report it back to the House with the recommendation that it be submitted to a joint committee to be composed of one member from each house, and that we be relieved from the further consideration of the subjects treated upon in the message.

STRATFORD,
Chairman.

Received.

Mr. Thurman presented the following:

Feb. 1, 1886.

Resolved, By the House, the Council concurring, that a joint committee composed of two members of the House, and one of the Council, be appointed, to whom shall be referred the communications of His Excellency respecting unauthorized expenditures of Territorial Legislatures as per circular from the Hon. Secretary of the Interior.

THURMAN.

Adopted, and the Speaker appointed Messrs. Hatch and King as a committee to act in behalf of the House.

By the Committee on Judiciary:

Committee Room,
Feb. 1, 1886.

Mr. Speaker:

The Committee on Judiciary having had under advisement H. F. 17 and H. F. 12, herewith return the same, and offer the enclosed bill as a substitute for both, and recommend its adoption and that it be put upon its passage.

HATCH,
Chairman.

Substitute read, and the report received.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. West—A bill amending an Act regulating the mode of procedure in criminal cases.

Read first time, and referred to the Committee on Judiciary.

By Mr. Rider—A bill to encourage the sinking of artesian wells in the more arid counties of the Territory of Utah.

Read the first time and referred to the Committee on Agriculture and Irrigation.

By Mr. West—A bill amending an Act entitled "An Act revising the proceedings in justices' courts, and providing for appeals to District Courts in criminal cases," approved March 13th, 1884.

Read first time, and referred to the Committee on Judiciary.

C. F. No. 13, a bill providing for a Territorial Board of Equalization.

Read by its title, and referred to the Committee on Ways and Means.

By Mr. West—A bill amending an Act revising the Code of Civil Procedure of Utah Territory, approved March 13th, 1884.

Read first time, and referred to the Committee on Judiciary.

COMMUNICATION FROM THE AUDITOR OF PUBLIC ACCOUNTS.

OFFICE OF AUDITOR OF PUBLIC ACCOUNTS.

Salt Lake City, Feb. 1, 1886.

The Honorable the Legislative Assembly of the Territory of Utah:

GENTLEMEN:—I desire to call your attention to the fact that a large safe sent to the clerk of the First District Court, some four years ago, has not been in use since the District Court changed its quarters, some eighteen months ago. Through the kindness of the County Court of Weber County, the safe has been permitted to remain in the hall-way of the Court House, at Ogden, free of charge, until some disposition could be made of it by your honorable body. The Court now desires to get rid of the safe, and I therefore ask that some disposition be made of it.

Respectfully,

N. W. CLAYTON,

Auditor of Public Accounts.

Referred to the Committee on Ways and Means.

SPECIAL ORDER.

Substitute for H. F. No. 20, a bill to encourage the growth of timber.

Amended, and recommitted to the Committee on Agriculture and Irrigation.

MESSAGE FROM THE COUNCIL.

Council Chamber,
Feb. 1, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day concurred in H. C. R. No. 19, appointing a committee to consider the communication of His Excellency, and accompanying circular pertaining to unauthorized expenditures of Territorial Legis-

latures, of the Hon. Secretary of the Interior, and appointed Councilor Sharp a committee on the part of the Council. Said resolution and document are herewith returned.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

COMMUNICATION FROM HIS EXCELLENCY GOVERNOR
ELI H. MURRAY.

Territory of Utah,
Executive Office,
Salt Lake City, Feb. 1, 1886. }

Hon. W. W. Riter, Speaker of the House:

SIR:—The laws of Utah should be grouped into one or perhaps two volumes. The fact that much contained in the Compiled Laws of 1876 has been repealed, and the scarcity of certain other volumes, suggest the propriety of some action in this matter. This resolution provides for a board of five persons to make a compilation merely, and appropriates ten thousand dollars for that purpose.

The condition of the laws of Utah, in my opinion, demand a revision, rather than another compilation.

That being true, the money expended in a compilation, and two years in time, is wasted. The appointment of one, or perhaps three, competent persons, to make a thorough revision, would be wise.

There are other reasons of objection to the resolution. The compilation of 1876 was made by a committee of three persons, and an appropriation of six thousand dollars for that purpose was made.

The resolution before me creates a board of five persons, and appropriates ten thousand dollars.

The foregoing are reasons which, under ordinary circumstances, only would remain to be discussed and determined by the law-making power. But there are other and far more potential reasons why this resolu-

tion, or any other of like character, should not become law, viz.:

1st.—The handling of so large a sum of money should be done by legal officers, under valid bonds. This is not possible until the appointment and confirmation of an Auditor and Treasurer in conformity with the law of Congress. The present *de facto* Auditor and Treasurer are holding over long after the expiration of the terms prescribed by an illegal statute, and by an election void in itself; and the bonds under which they serve, if ever they were legal, are so no longer.

2d.—A number of statutes enacted by legislatures of the past, stand among the laws of Utah to-day, which are in direct conflict with the laws of Congress, which are supreme. These laws, when analyzed in their very bones, and in the lineaments of their every feature, are shown to be acts of nullification of the laws of the land, which you and I have sworn to maintain.

Under these laws the executive authority of the Territory, and the authority of the government of the United States, have for years persistently been ignored and set at defiance. This resolution proposes to republish these laws in a compilation which will further mislead the people of this Territory, and I am asked to approve them, and sign a draft for ten thousand dollars of public funds, drawn from the pockets of all classes of people, to further perpetuate this travesty on government in the Territory, and this grievous wrong upon the laws of Congress.

Holding the laws of my country to be supreme, and the sovereignty of the United States to be above and beyond any other authority, requirements or demand, these must be my guide, and I therefore return the resolution without my approval.

I am, very respectfully,

ELI H. MURRAY,
Governor.

On motion, the communication was ordered spread upon the minutes, and transmitted for the information of the Council.

MESSAGES FROM THE COUNCIL.

Council Chamber,
Feb. 1, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed C. F. No. 8, a bill pertaining to highways, and the same is herewith forwarded for your action thereon.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Bill placed on file, to come up in its order.

Council Chamber,
Feb. 1, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed substitute for C. F. No. 15, a bill defining the manner of determining disputed county boundary lines, and the same is now forwarded for your action thereon.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Bill placed on file, to come up in its order.

MISCELLANEOUS.

Mr. Hatch presented a petition from Messrs. Gibbs and Irvine, stenographers, asking that they be compensated for services rendered during the visit of the Wyoming Legislature, in 1884.

The petition was referred to the Committee on Contingent Expenses of the House.

On motion of Mr. Smoot, the House, at 5 o'clock p. m., adjourned until to-morrow at 2 p. m.

Benediction by the Chaplain.

TWENTY-THIRD DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Tuesday, Feb. 2, 1886.

2 p. m.

House met pursuant to adjournment,
Speaker in the chair.
Roll call—quorum present.
Prayer by the Chaplain.
Journal of Monday read, amended and approved.

PRESENTATION OF PETITIONS.

By Mr. Baty—A petition from the County Court of Box Elder County, praying for a legislative enactment regulating the taxing of grazing herds.

Read and referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES.

By the Committee on Asylum for the Insane:

Committee Room,
February 2, 1886.

Mr. Speaker:

Your committee to whom was referred the biennial report of the Board of Directors, and the annual report of the Superintendent, Secretary and Treasurer of the Territorial Insane Asylum, have had the same under advisement, and herewith report the same back as being correct so far as your committee have been able to determine, and respectfully recommend that the same be adopted, and forwarded to the Council for their information.

Respectfully,
W. C. A. SMOOT, JR.
Chairman.

Adopted.

By the Committee on Claims and Public Accounts:

Committee Room,
February 2, 1886.

Mr. Speaker:

The Committee on Claims and Public Accounts, to whom was referred the petition of Archibald A. Anderson, asking for an appropriation in the sum of \$34.00 for jury service in civil cases in 1874, respectfully recommend that said claim be rejected, for the reason that said claim belongs to that class which were rejected by the jury commission appointed in 1880; and for the further reason that to allow said claim would, in effect, be to endorse and sanction the payment of innumerable claims of the same kind outstanding, all of which were unauthorized by law, and have long since been ignored and repudiated by former legislatures.

THURMAN,
Chairman.

Adopted.

By the Committee on Claims and Public Accounts:

Committee Room,
February 2, 1886.

Mr. Speaker:

The Committee on Claims and Public Accounts, to whom was referred petition and claim of A. J. Johnson, Assessor and Collector of Tooele County, for an appropriation in the sum of \$95.49½, respectfully recommend that said claim be allowed inasmuch as the amount has been paid into the Territorial Treasury by said collector, and has not been collected by him from the parties delinquent, for reasons wholly unattributable to the fault of said collector.

Said committee also recommend that the claim of William Ashton, Collector of Uintah County, for the sum of \$60.87½ be allowed, for reasons similar to those in the foregoing report.

THURMAN,
Chairman.

Adopted, and the report and petitions referred to the Committee on Appropriations.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. King—H. F. No. 38, a bill in relation to liens on personal property.

Read first time and referred to the Committee on Judiciary.

C. F. No. 15, a bill defining the manner of determining disputed county boundary lines.

Read by its title and referred to the Committee on Counties.

C. F. No. 8, pertaining to highways.

Read by its title and referred to the Committee on Highways.

By Mr. Thurman—H. F. No. 39, a bill to amend an act in relation to mortgages of personal property.

Read first time and referred to the Committee on Private Corporations.

MESSAGES FROM THE COUNCIL.

Council Chamber,
Feb. 1, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day adopted the accompanying concurrent resolution (C. C. R. No. 5), and appointed Councilor Francis as said committee on the part of the Council, and the same is forwarded for your action thereon.

Respectfully,
HEBER M. WELLS,
Chief Clerk

RESOLUTION.

Resolved, the House concurring, that a committee of three, to-wit: two from the House and one from the Council be appointed to audit all the accounts of the Territorial Auditor and Treasurer, and examine a

compare redeemed Auditors warrants with the stubs, and said committee are thereby empowered to employ efficient accountants to assist them in auditing said accounts.

FRANCIS,
Chairman.

Resolution concurred in, and the Speaker appointed Messrs. Clark and Rider to act as a committee in behalf of the House.

Council Chamber,
Feb. 2, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day adopted the accompanying report increasing the Joint Committee to consider the matter of contingent expenses of the Assembly, to five members, and that Councilor Hammond has been appointed as such additional member on the part of the Council.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Substitute resolution concurred in, and Mr. Thurman was added to the committee.

SPECIAL ORDER.

C. F. No. 19, a bill amending Section 18, Chapter XLV., Session Laws of 1884.

On motion of Mr. Creer the bill passed.

Ayes—Anderson, Baty, Clark, Creer, Howell, Kimball, McCullough, McLaughlin, Rider, Stratford, Stuart, Smoot, West—13.

Noes—Farnsworth, Hatch, Houston, King, Lund, Thurber, Thurman, Woolley—8.

Absent—Cannon—1.

Excused from voting—Young—1.

Title approved.

MESSAGE FROM THE COUNCIL.

Council Chamber,
Feb. 2, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day concurred in House amendments to C. F. No. 6, amending Section 5, Chapter XXV., Laws of Utah, 1884.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

MOTIONS AND RESOLUTIONS.

By Mr. Smoot.

Resolved, That the Sergeant-at-Arms be instructed to forward to the office of the Secretary of the Territorial Insane Asylum at Provo, 600 copies of the biennial report of the Board of Directors of that institution.

SMOOT.

February 2d.

Adopted.

SECOND READING OF BILLS.

Substitute for H. F's Nos. 12 and 17.

On motion of Mr. Howell the bill was made the special order for to-morrow.

On motion of Mr. Thurman the House at 3:35 p. m. adjourned until to-morrow at 2 p. m.

Benediction by the Chaplain.

TWENTY-FOURTH DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Wednesday, Feb. 3, 1886.

2 p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of Tuesday read, amended and approved.

On motion of Mr. Lund, Mr. Rider, of Kane County, was granted a leave of absence for the period of ten days, he having been called home on account of sickness in his family.

The Speaker appointed Mr. Woolley to act as a member of the committee appointed to audit Auditor's accounts in place of Mr. Rider.

PRESENTATION OF PETITIONS.

By Mr. Woolley—A petition from J. S. Rawlins and ninety other residents of Draper, Salt Lake County, asking for a repeal of Section 10, Chapter VI., Laws of Utah, 1884.

Read and referred to the Committee on Agriculture and Irrigation.

REPORTS OF STANDING COMMITTEES.

By the Committee on Judiciary:

Committee Room
Feb. 3, 1886.

Mr. Speaker:

The Committee on Judiciary, to whom was referred H. F. 30, herewith return the same, and offer in lieu thereof the enclosed as a substitute.

HATCH,
Chairman.

Substitute placed on file, to come up in its regular order.

By the Committee on Agriculture and Irrigation:

Committee Room,
Feb. 3, 1886.

Mr. Speaker:

Your committee on Agriculture and Irrigation, to whom was referred H. F. No. 11, having duly considered the same, beg leave to report it back with the following amendment, and recommend its passage; but in consequence of a bill now before the Committee on Fish and Game, amending the same Act of which this is amendatory, suggest its reference to the above-named committee, in order that it can be considered in connection with the said bill.

KING,
Chairman.

Bill, with proposed amendments, filed to come up in its order.

REPORT OF SELECT COMMITTEE.

Mr. Hatch, in behalf of the Committee on Contingent Expenses of the House, appointed to wait on His Excellency the Governor, reported progress and asked for further time.

Granted.

SPECIAL ORDER.

Substitute for H. F's. Nos. 12 and 17, bills providing for the punishment of illicit carnal intercourse, offenses against chastity, morality, etc.

Pending discussion, the bill, on motion of Mr. Thurman, was made the special order for to-morrow.

MESSAGES FROM THE COUNCIL.

Council Chamber,
Feb. 3, 1886.

Mr. Speaker:

I am directed to inform your honorable body that

the Council has this day passed C. F. No. 14, a bill apportioning the legislative representation of the Territory of Utah, and the same is now forwarded for your action thereon.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Bill read by its title, and referred to the Committee on Counties.

Council Chamber,
Feb. 3, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed substitute for C. F. No. 28, a bill amending an Act incorporating the city of Moroni, in Sanpete County, and the same is now forwarded for your action thereon.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Bill read by its title, and referred to the Committee on Municipal Corporations and Towns.

SECOND READING OF BILLS.

Substitute for H. F. No. 30, a bill amending Section 388, Chapter V., regulating the mode of procedure in criminal cases.

Read the second time.

Read the third time, under a suspension of the rules, amended and passed.

Ayes—Anderson, Baty, Creer, Cannon, Farnsworth, Hatch, Houston, Howell, King, Kimball, Lund, McCullough, McLaughlin, Stratford, Stuart, Smoot, Thurber, Thurman, Woolley, West, Young—21.

Noes—None.

Absent—Clark, Rider—2.

Title amended.

H. F. No. 11, a bill for an Act amending Section 10, Chapter VI., Session Laws of 1884.

Read second time, amended, and referred to the Committee on Fish and Game.

On motion of Mr. King, the petition of J. S. Rawlins and ninety others, previously referred to the Committee on Agriculture and Irrigation, was referred to the Committee on Fish and Game.

MISCELLANEOUS.

Communication from J. M. Zane, Clerk of the Third District Court:

Clerk's Office, Third District Court,
Salt Lake City, Feb. 2, 1886.

Hon. W. W. Riter, Speaker of the House of Representatives:

SIR:—In compliance with the resolution of the House, of January 18, 1886, I herewith transmit the information called for.

1st.—The amount of fines and forfeitures collected in the District Court of the Third Judicial District of Utah Territory during the years 1884 and 1885, in Territorial criminal cases, less commissions, was \$320.10, which sum has been paid to the Territorial Treasurer, whose receipt I hold therefor.

2d.—During the year 1884, the number of days consumed in civil business was 115.

The number of days consumed by Territorial criminal business was seventy-three.

The number of days on which Territorial criminal business was transacted was 116.

It is difficult to say that any particular day, generally speaking, was devoted to any particular kind of business, for the reason that Court is open each day that it sits for any kind of business, but the item, "the number of days consumed by Territorial criminal business," represents only those days on which Territorial crimi-

nal trials took place or which were taken up exclusively by Territorial criminal business. Territorial criminal business was transacted, however, on a much larger number of days, viz.: 116 days, the third item above.

During the year 1885, the number of days consumed by civil business was 154.

The number of days consumed by Territorial criminal business (exclusively or by trials) was 55.

The number of days on which Territorial criminal business was transacted was 103.

During some of the time, it should be said, two judges were sitting, one listening to criminal and the other to civil business.

3d.—Jurors and witnesses are not allowed per diem and mileage, and have not been, under the Laws of this Territory, for every day of their actual attendance. But witnesses and jurors who attend upon United States business are paid per diem and mileage under the laws of the United States by the United States. The witnesses and jurors who attend and serve upon Territorial criminal business are paid in certificates issued by the Clerk under the laws of this Territory. No portion of the time for which such witnesses and jurors so serving upon Territorial criminal business have been paid under the laws of Utah Territory, has been occupied by United States business.

4th.—All grand jurors discharged for incompetency for whatever cause are paid per diem and mileage by the United States. The Territory of Utah has paid no persons summoned on the grand jury and discharged for incompetency, so far as I am aware. The practice is entirely different.

The first part of the fourth inquiry, viz.: "whether any grand jurors competent to act upon Territorial business have been discharged because of incompetency to sit upon United States cases," I would hesitate to answer, because it is difficult to see how any person could be competent to act upon Territorial business who was not competent to act upon United States business.

I have already certified to the foregoing statements

on the Abstracts of Attendance of witnesses and jurors transmitted to the Territorial Auditor.

J. M. ZANE,
*Clerk of the District Court for the Third Judicial Dis-
trict in and for the Territory of Utah.*

Ordered spread upon the minutes and transmitted to the Council for its information.

At the instance of Mr. Thurman, a letter from Jas. W. Bucklin, member of the Colorado Legislature, and J. R. Elliott, President of the Grand Junction Board of Trade, suggesting that the Legislature appropriate means for the construction of a wagon bridge across Green River, in the eastern part of this Territory, was read.

The communication was referred to the Committee on Highways.

At the instance of Mr. Cannon, a communication from Prof. H. C. White, stating that an appropriation of \$38,000 instead of \$25,000, as at first estimated by him, would be necessary for the establishment of a proper Territorial institution for deaf mutes, was read, and referred to the Committee on Education.

On motion of Mr. Baty, the House, at 4:45 p. m., adjourned until to-morrow, at 2 o'clock p. m.

Benediction by the Chaplain.

TWENTY-FIFTH DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Thursday, Feb. 4, 1886.

2 p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of Wednesday read, amended and approved

PRESENTATION OF PETITIONS.

By Mr. Baty—A petition from the County Court of Box Elder County, asking for an appropriation of \$5,000 to aid in repairing the road through Box Elder Canyon.

Read and referred to the Committee on Highways.

COMMUNICATIONS FROM THE AUDITOR OF PUBLIC ACCOUNTS.

OFFICE OF AUDITOR OF PUBLIC ACCOUNTS,
Salt Lake City, Feb. 4, 1886.

The Honorable, the Legislative Assembly:

GENTLEMEN:—I have the honor to hand you herewith a communication from Messrs. Sheeks & Rawlins, attorneys-at-law, of this city, in relation to legal business placed in their hands by the Auditor of Public Accounts.

The fees in the cases mentioned have been paid in full for conducting the suits to finish. In the case of William Reeves, ex-Collector of Davis County, the matter has been left open to allow Mr. Reeves to obtain relief from the Legislative Assembly, which he claims he is entitled to. As soon as the present Legislature adjourns, settlement in full will be enforced.

The amount due the Territory from George Crismon, ex-Collector of Salt Lake County for the years 1878, 1879, 1880, 1881 and 1882, at the time of the settlement of the suit, was \$20,510.62, \$4,343.31 of which was for taxes due the Territory on account of the year 1878, which the attorneys considered outlawed, thus reducing the actual amount due to \$16,167.31. The amount accepted in settlement of the above amount was \$13,000, leaving a deficit of \$3,167.31, which was conceded to be due the Collector on account of uncollectable taxes, which were never reported to this office.

Very respectfully,

N. W. CLAYTON,
Auditor of Public Accounts.

Communication referred to the Committee on Claims and Public Accounts.

OFFICE OF AUDITOR OF PUBLIC ACCOUNTS.

Salt Lake City, Feb. 2, 1886.

The Honorable, the Legislative Assembly of Utah Territory:

GENTLEMEN:—I have the honor to hand you here-
with county financial statement of Kane County, for
the years 1884-5, duly audited as required by law.

Very respectfully,

N. W. CLAYTON,
Auditor of Public Accounts.

County financial statement referred to the Com-
mittee on Counties.

REPORTS OF STANDING COMMITTEES.

By the Committee on Highways:

Committee Room,
Feb. 4, 1886.

Mr. Speaker:

Your Committee on Highways, to whom was re-
ferred petition (No. 2) of A. K. Thurber, and other
citizens of Sevier County, asking an appropriation of
\$1,000 to repair the road through Clear Creek Canyon,
in said county, have carefully examined the same, and
recommend that the appropriation of \$500 be made for
that purpose, to be drawn and expended by the County
Court of Sevier County, provided that said county
expend on said road a like sum of \$500 in addition to
the amount herein appropriated.

HOWELL,
Chairman.

Adopted, and the report referred to the Committee
on Appropriations.

By the Committee on Ways and Means:

Committee Room
Feb. 4, 1886.

Mr. Speaker:

The Committee on Ways and Means, having had

under advisement C. F. 13, herewith return the same with the following amendments:

Section 3, by striking out the word "April," in the third line, and substituting the word "September" in lieu thereof.

Section 5, by adding the words "different classes of," between the words "the" and "property," in the second line of Section 5.

Section 6, by striking out the word "June," in the sixth line, and substituting the word "January" in lieu thereof.

Section 7, by adding the words "different classes of," between the words "the" and "property," in the third line of Section 7, and recommend that the bill, as amended, be put upon its passage.

STRATFORD,
Chairman.

Bill, with proposed amendments, filed to come up in its order.

By the Committee on Fish and Game:

Committee Room,
Feb. 4, 1886.

Mr. Speaker:

The Committee on Fish and Game, to whom was referred the petition of A. C. Smith and others, in relation to the protection of quail, respectfully report the petition back with the recommendation that the petition be not granted.

THURBER,
Chairman.

Petition read; and the report of the committee adopted.

By the Committee on Judiciary:

Committee Room,
Feb. 3, 1886.

Mr. Speaker:

Your Committee on Judiciary, having had under

advisement H. F. 25, report the same back, and recommend that it be rejected.

HATCH,
Chairman.

Bill read, and the report of the committee adopted.

By the Committee on Live Stock:

Committee Room,
Feb. 4, 1886.

Mr. Speaker:

Your Committee on Live Stock, to whom was referred H. F. No. 33, a bill for an Act to restrain bulls from running at large during certain seasons, beg leave to report said bill, with two sections added, and recommend that the bill be printed and put upon its passage.

JOSEPH KIMBALL,
Chairman.

Report received, and bill, with amendments, ordered printed.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Cannon—H. F. No. 41, a bill for an Act amending Section 608 of the Compiled Laws of Utah.

Read the first time, and referred to the Committee on Education.

SPECIAL ORDER.

H. F. No. 40, substitute for H. F's. Nos. 12 and 17, a bill further providing for the punishment of sexual crimes.

Pending its consideration, the bill, on motion of Mr. Stratford, was recommitted to the Committee on Judiciary.

SECOND READING OF BILLS.

C. F. No. 13, a bill providing for a Territorial Board of Equalization.

Read second time, amended and placed on general file.

MISCELLANEOUS.

Mr. Thurman presented a petition from Hon. Jno. T. Caine, and other residents of Salt Lake City, asking for an appropriation in aid of the orphan's home of Salt Lake City.

Read and referred to the Committee on Claims and Public Accounts.

MESSAGE FROM THE COUNCIL.

Council Chamber,
Feb. 4, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed substitute for H. F. No. 26, a bill amending Section 6, Chapter XLIV., Session Laws of 1884, and the same is now forwarded together with the original bill for your action thereon.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

Substitute read, and on motion of Mr. Thurman the House non-concurred.

Communications from Benj. Bachman, Deputy Clerk of the First District Court, and J. R. Wilkins, Clerk of Second Judicial District:

Clerk's Office,
First Judicial District for Utah Territory, }
Southern Division,
Provo City, Utah, February 3, 1886.

H. G. Whitney, Chief Clerk House of Representatives, Salt Lake City:

DEAR SIR:—Yours of January 26, containing copy

of resolution passed January 18, 1886, by House and Council, asking for certain information, was duly received, and in compliance therewith, I enclose to you the said information. I am sorry that this report was delayed on account of sickness.

Yours, very respectfully,

BENJ. BACHMAN,
Deputy Clerk.

1. Fines collected in the District Court of the First Judicial District, for the years of 1884 and 1885, \$185.00.

2. February term, 1884, in criminal business, 18 days; In civil business, 24 days.

2. September term, 1884, in criminal business, 18 days; in civil business, 33 days.

2. February term, 1885, in criminal business, 28 days; in civil business, 18 days.

2. September term, 1885, in criminal business, 17 days; civil business, 49 days.

It has been often the case in this part of the district that we were trying civil cases in daytime, and criminal cases at the evening session.

3. There has been no portion of the time used on Territorial business allowed on the part of the United States.

In fact the February term, 1884, the September term, 1884, and the February term, 1885, there was no United States business transacted at all.

4. Yes, namely nine persons, but they were all paid by the United States.

Respectfully submitted,

BENJ. BACHMAN,
Deputy Clerk.

First Judicial District Court of the Territory of Utah.

Ordered spread upon the minutes, and forwarded to the Council for its information.

To the Legislative Assembly of the Territory of Utah:

Pursuant to a resolution of your honorable body adopted on the 18th day of January, A. D. 1886, requir-

ing each clerk of the several District Courts of the Territory of Utah to furnish certain information relative to fines and forfeitures collected, mode of paying jurors and witnesses, etc., I have the honor to submit the following report:

Under first clause of resolution: amount of fines collected, \$89.00. No forfeitures.

Under second clause of resolution: there have been occupied 168 days on civil and criminal business. The days are not set apart distinctively for civil or criminal business. There has been very little civil business in the past two years. Nor are there any days set apart respectively for United States and Territorial Criminal business. The United States criminal business is placed first on the trial calendar, but if a United States criminal case is not ready when called for trial, for the purpose of expediting business, a Territorial criminal case may be called for trial if ready, or proceedings in civil cases may be had.

Under third clause of resolution: though there are no days, in practice, distinctively set apart for United States criminal business, the Court, when jurors are discharged, allow them compensation for a certain number of days from the United States, if any of the time of the Court has been occupied by United States criminal business. For the year 1884 jurors received compensation from the United States for three (3) days attendance, the remaining days of attendance and all mileage being paid by the Territory. For the year 1885 grand jurors received compensation from the United States for twenty-two (22) days attendance, and petit jurors for eighteen (18) days. All mileage for both classes of jurors was paid by the United States.

Witnesses in United States criminal cases are paid for both attendance and travel by the United States. Witnesses in Territorial criminal cases are paid for both attendance and travel by the Territory.

Under fourth clause of resolution: twenty-seven (27) grand jurors have been discharged because of incompetency to sit upon United States cases. The at-

tendance and travel of said grand jurors were paid by the United States.

Respectfully,

J. R. WILKINS,

Clerk of the Second Judicial District Court of Utah Territory.

Beaver City, Utah, February 1st, 1886.

Utah Territory

To J. R. Wilkins, Clerk of Second Judicial District Court of Utah Territory,

1886.

Dr.

February 1, To services performed pursuant to a resolution adopted by the Legislative Assembly, on the 18th day of January, 1886, requesting certain information from the Clerks of the District Courts relative to fines and forfeitures, mode of payment of jurors and witnesses, etc.

One Day, ... \$5.00

Ordered spread upon the minutes and transmitted to the Council for its information.

At his own request, Mr. Hatch was granted a leave of absence until next Tuesday.

On motion of Mr. Stratford, the House, at 3:50 p. m., adjourned until to-morrow at 2 o'clock p. m.,

Benediction by the Chaplain.

TWENTY-SIXTH DAY.

REPRESENTATIVES' HALL,

Salt Lake City, Friday, Feb. 5, 1886.

2 p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of Thursday read, amended and approved.
On motion of Mr. King, Mr. Young, of Salt Lake County, was excused from attendance at to-day's session.

PRESENTATION OF PETITIONS.

By Mr. Farnsworth—A petition from the County Court of Beaver County, asking for relief for money expended on criminal prosecutions.

Read and referred to the Committee on Claims and Public Accounts.

REPORTS OF STANDING COMMITTEES.

By the Committee on Manufactures and Commerce:

Committee Room,
Feb. 5, 1886.

Mr. Speaker:

Your committee to whom was referred C. F. No. 22, a bill to provide for assignments of insolvent debtors, beg leave to report the same back with amendments, and recommend that the amendments be adopted, and that said bill be put on its passage as amended.

STUART,
Chairman.

Report filed with the bill, to come up in its order.

By the Committee on Penitentiary and Reform School:

Committee Room,
Feb. 5, 1886.

Mr. Speaker:

Your Committee on Penitentiary and Reform School, to whom was referred H. F. No. 19, a bill to establish a Territorial Reform School, respectfully report that they unanimously recommend that said bill be amended by striking out Sections 3, 5 and 11, and by inserting two

sections before the last section, and that the bill, as amended, be put upon its passage.

A. H. LUND,
Chairman.

Report filed with bill.

By the Committee on Agriculture and Irrigation:

Committee Room,
Feb. 5, 1886.

Mr. Speaker:

Your Committee on Agriculture and Irrigation, to whom was recommitted substitute bill for H. F. No. 20, having considered the same, respectfully report it back with the following amendments, and recommend their adoption and the passage of the bill.

W. H. KING,
Chairman.

Report filed with bill.

By the Committee on Live Stock:

Committee Room,
Feb. 5, 1886.

Mr. Speaker:

Your Committee on Live Stock, to whom was referred H. F. No. 24, having duly considered the same, report it back, accompanied by the enclosed "substitute bill," and ask its acceptance in lieu of said H. F. No. 24, and recommend its passage.

KIMBALL,
Chairman.

Report filed with bill.

By the Committee on Fish and Game:

Committee Room,
Feb. 5, 1886.

Mr. Speaker:

The Committee on Fish and Game, to whom was referred substitute for Council File No. 10 and H. F. No. 11, beg leave to report that we have had both bills

under consideration, and recommend that H. F. No. 11 be rejected, and that substitute for C. F. No. 10 be amended by striking out the word "takes," in the fourth line of Section 1, and by adding the following:

SEC. 4. That Section 10 of Chapter VI., of Session Laws of 1884, is hereby repealed.

And recommend that the bill, as amended, be put upon its passage.

THURBER,
Chairman.

Report filed with bill.

By the Committee on Claims and Public Accounts:

Committee Room,
Feb. 5, 1886.

Mr. Speaker:

The Committee on Claims and Public Accounts, to whom was referred the claim of Benjamin Bachman, District Clerk of the First Judicial District Court, recommend that the amount of \$758.25 be allowed and the amount appropriated.

THURMAN,
Chairman.

Report referred to the Committee on Appropriations.

By the Committee on Claims and Public Accounts:

Committee Room,
February 5, 1886.

Mr. Speaker:

The Committee on Claims and Public Accounts, to whom was referred the claim of J. R. Wilkins, Clerk of the Second Judicial District Court, herewith return the same and recommend that the said amount, to-wit: \$1290.02, be allowed and the amount be appropriated.

THURMAN,
Chairman.

Report referred to the Committee on Appropri-

ations with instructions to include the amount in the general appropriation bill.

By the Committee on Claims and Public Accounts:

Committee Room,
Feb. 5, 1886.

Mr. Speaker:

The Committee on Claims and Public Accounts, to whom was referred the Claim of Zera Snow for legal services in cases of the People, etc., vs. James Marshal, et al., amounting to \$150, recommend that the same be allowed and the amount thereof appropriated.

THURMAN,
Chairman.

Adopted.

On motion of Mr. King, referred to the Committee on Appropriations, with instructions to include in general appropriation bill.

By the Committee on Claims and Public Accounts:

Committee Room,
Feb. 5, 1886.

Mr. Speaker:

The Committee on Claims and Public Accounts, to whom was referred the claim of Nephi W. Clayton and James Jack for witness fees and mileage in the case of the People, etc., vs. Josiah Rogerson, et al., recommend that the same be allowed and the amount thereof, to-wit: \$115.50, be appropriated.

THURMAN,
Chairman.

Report referred to the Committee on Appropriations, with instructions to incorporate the amount in the general appropriation bill.

By the Committee on Live Stock:

Committee Room
Feb. 4, 1886.

Mr. Speaker:

Your Committee on Live Stock, to whom was referred H. F. No. 7 and H. F. No. 29, beg leave to report that the provisions of H. F. No. 7 is embodied in H. F. No. 29, and we recommend that H. F. No. 29, with a section added by your committee be printed and put upon its passage.

Respectfully,
JOSEPH KIMBALL,
Chairman.

Adopted, and bill ordered printed

MESSAGE FROM THE COUNCIL.

Council Chamber,
Feb. 5, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council adheres to its substitute for H. F. No. 26, amending Section 6, Chapter XLIV., Session Laws of 1884, in relation to estates of decedents, and the substitute and original bills are again forwarded for your further action thereon.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

On motion, the Speaker appointed a committee of two, consisting of Messrs. Stratford and Cannon, to confer with a like committee of the Council relative to the substitute for H. F. No. 26.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. King—H. F. No. 42, a bill providing for bulls running at large.

Read first time, and referred to the Committee on Live Stock.

By Mr. Smoot—H. F. No. 43, a bill making appropriations for deficiencies for the Territorial Insane Asylum.

Read first time and referred to the Committee on Asylum for the Insane.

SECOND READING OF BILLS.

H. F. N. 33, an Act to restrain bulls from running at large during certain seasons of the year.

Read second time, amended and recommitted to the Committee on Live Stock.

C. F. No. 22, a bill to provide for the assignment of insolvent debtors.

Amendments suggested by the committee adopted, and the bill made a special order for Monday.

Substitute for H. F. No. 20, a bill to encourage the growth of timber.

Amendments suggested by the committee adopted. Bill read second time and placed on general file.

Substitute for H. F. No. 24, a bill to prevent the spread of malignant diseases among sheep.

Read second time by its title, and ordered printed.

Substitute for C. F. No. 10, a bill supplemental to Chapter VI., Session Laws of 1884, entitled "An Act for the protection of fish and game.

Amendments suggested by the committee adopted, and pending second reading the bill was recommitted to the Committee on Fish and Game.

H. F. No. 19, a bill to establish a Territorial reform school.

Bill ordered printed pending its second reading.

MESSAGE FROM THE COUNCIL.

Council Chamber,
Feb. 3, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed substitute for H. F. No. 30, amending an Act regulating the mode of procedure

in criminal cases, with amendments, and the same is now forwarded for your action on said amendments.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

Substitute read, and on motion of Mr. Thurman the House concurred in the amendments.

COMMUNICATION FROM HIS EXCELLENCY GOVERNOR ELI
H. MURRAY WITH REFERENCE TO H. F. No. 9.

Territory of Utah, }
Executive Office, }
Salt Lake City, February 5, 1886. }

Hon. W. W. Riter, Speaker of the House:

SIR:—Under the Edmunds bill, so called, it is a good ground of challenge to a grand juror, or to a petit juror, called on the trial of a charge of polygamy, or unlawful cohabitation, that he is a bigamist, polygamist, or is living in the practice of cohabiting with more than one woman, or that he believes it right to have more than one living and undivorced wife at the same time, or to live in the practice of cohabiting with more than one woman.

During the two years last past, a great portion of the time of the courts has been occupied in the trial of the class of cases above mentioned.

A much larger portion of the time is likely to be so occupied in the future, there being upwards of one hundred indictments for such offenses now pending in the Third District Court alone. Notwithstanding the provisions of the Edmunds bill, the probate judges continue in the annual selection of jurors in pursuance of the Poland bill, to select the names of none but those who are virtually disqualified in the class of cases herein referred to.

The persons so selected reside in many instances at a great distance from the place where the court is held. The results are that the court is seriously delayed in the administration of the laws, individuals unnecessarily

inconvenienced, and the people put to useless and great expense.

The present practice has been sustained by the Supreme Court of the United States. Under it the laws can be executed, and in its application no one innocent man has been convicted in Utah. In view of the requirements of Congress as to jurors, as laid down in the Edmunds bill, the practical results that will follow, should the bill before me become law, will be to delay the execution of the laws in the class of cases referred to. Any extension of the system of procuring juries provided by the Poland bill is therefore deemed unadvisable.

There are other reasons that I may give in objection, which perhaps are unnecessary at this time.

The bill is returned herewith without my approval. I have the honor to be,

Very respectfully,

ELI H. MURRAY,
Governor.

Ordered spread upon the minutes, and transmitted to the Council for its information.

THIRD READING OF BILLS.

C. F. No. 13, a bill providing for a Territorial Board of Equalization.

Made a special order for Wednesday.

MOTIONS AND RESOLUTIONS.

In consequence of the disapproval by the Governor of H. F. No. 9, relating to jurors, Mr. Creer moved that the Committee on Judiciary be instructed to draft, at as early a day as possible, a new bill embodying the subject matter of said H. F. No 9, but making it applicable to Territorial cases only.

Carried.

Mr. Howell moved that when this House adjourn it be until Monday, at 2 o'clock p. m.

Carried.

Mr. Woolley was granted a leave of absence until Tuesday.

On motion of Mr. King, the House, at 5 p. m., adjourned until Monday, at 2 o'clock p. m.

Benediction by the Chaplain.

TWENTY-NINTH DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Monday, Feb. 8, 1886.

2 p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of Friday read, amended and approved.

Mr. Smoot asked on behalf of Mr. Thurman that he be excused from to-day's session.

Granted.

PRESENTATION OF PETITIONS.

By Mr. King—A petition from Joseph D. Smith, ex-Assessor and Collector of Millard County, asking for an appropriation of \$22.50, for taxes assessed in Millard County and collected in Beaver County.

Referred to the Committee on Claims and Public Accounts without reading.

By Mr. Anderson—A petition from W. C. Rydalch and 111 other citizens of Tooele County, asking for an appropriation of \$2,000 for the repairing of roads in said County.

Read and referred to the Committee on Highways.

By Mr. King—A petition signed by Geo. B. Bailey and 153 others, asking for a repeal of Section 4, Chapter XXXVI., of Session Laws of 1880, relating to screens in irrigation ditches.

Referred to the Committee on Fish and game.

By Mr. Farnsworth—A petition from Barlow Fer-

guson, Prosecuting Attorney of Beaver County, asking for allowance for legal services rendered.

Referred to the Committee on Claims and Public Accounts.

SPECIAL ORDER OF THE DAY.

C. F. No. 22, a bill to provide for the assignment of insolvent debtors.

Amended, and, on motion of Mr. Clark, passed to its third reading.

MESSAGE FROM THE COUNCIL.

Council Chamber,
Feb. 8, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed C. F. No. 27, a bill amending an Act incorporating the city of Morgan in Morgan County, approved February 13, 1868, and the same is now forwarded for your action thereon.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

On motion of Mr. King, referred the Committee on Municipal Corporations and Towns.

THIRD READING OF BILLS.

Substitute for H. F. No. 24, a bill to prevent the spread of malignant diseases among sheep.

On motion of Mr. Baty, made special order for Tuesday.

H. F. No. 20, a bill to encourage the growth of timber.

Amended, and, on motion of Mr. Stratford, the bill passed.

Ayes—Anderson, Baty, Clark, Creer, King, Kimball, Lund, McCullough, Stratford, Stewart, Smoot, Thurber, West—13.

Noes—Cannon, Farnsworth, Howell, McLaughlin, Young—5.

Absent—Hatch, Houston, Rider, Thurman, Woolley—5.

COMMUNICATION FROM THE COMMITTEE ON ENROLLMENT.

Feb. 5, 1886.

Mr. Speaker:

Your Committee on Enrollment beg leave to report that H. F. No. 30, an Act amending an Act regulating the mode of criminal procedure, approved February 22, 1878 (bail bill), has been correctly enrolled, and this day, at 5:30 p. m., was forwarded to His Excellency the Governor for his approval.

Respectfully,

Jos. A. WEST,

Chairman.

The Speaker called attention to a bill of \$5 presented by Mr. J. R. Wilkins, Clerk of the Second District, for services rendered under instructions from this Legislature.

On motion of Mr. King the bill was referred to the Committee on Appropriations.

On motion of Mr. West, the House, at 4:15 p. m., adjourned until 2 o'clock Tuesday.

Benediction by the Chaplain.

THIRTIETH DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Tuesday, Feb. 9, 1886.

2 p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll call—quorum present.

Prayer by the Chaplain.

Journal of Monday read and approved.

Messrs. Thurman and Lund were excused from attendance at to-day's session on account of sickness.

PRESENTATION OF PETITIONS.

By Mr. Stratford—A petition from the City Council of Ogden, praying for certain amendments to their charter.

Read and referred to the Committee on Municipal Corporations and Towns.

By Mr. Hatch—A petition from Annie Howarth and about 300 other women, residents of Wasatch County, praying for a legislative enactment prohibiting the sale of alcoholic liquors within one mile of any school or church in this Territory.

Read and referred to the Committee on Manufactures and Commerce.

By Mr. McCullough—A petition from a number of citizens of Alpine City, Utah County, praying for an amendment to their charter.

Referred to the Committee on Municipal Corporations and Towns.

REPORTS OF STANDING COMMITTEES.

By the Committee on Counties:

Committee Room,
Feb. 9, 1886.

Mr. Speaker:

Your Committee on Counties, to whom was referred C. F. No. 15, pertaining to county boundaries, return the same back with one amendment, and recommend its passage.

HATCH,
Chairman.

Amendment filed with the bill.

By the Committee on Asylum for the Insane:

Committee Room.

Mr. Speaker:

Your Committee on Asylum for the Insane, to

—S—

whom was referred H. F. No. 43, asking for a special appropriation of \$20,000, respectfully report same back, and recommend its immediate passage.

W. C. A. SMOOT, JR.,
Chairman.

Feb. 9, 1886.

Report filed with bill.

By the Committee on Live Stock:

Committee Room,
Feb. 8, 1886.

Mr. Speaker:

Your Committee on Live Stock, to whom was referred H. F. No. 33, a bill for an Act to restrain bulls from running at large during certain seasons, beg leave to report back a substitute in lieu thereof, and recommend that the same be put upon its passage.

Respectfully,
JOSEPH KIMBALL,
Chairman.

Report filed with bill.

MESSAGE FROM THE COUNCIL.

Council Chamber,
Feb. 9, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has acceded to the House request for committee on conference in reference to H. F. No. 26, a bill in relation to estates of decedents, and appointed Councilors Sharp and Francis on the part of the Council.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. King—H. F. No. 44, a bill defining estrays, and providing for the sale of the same.

Read first time and referred to the Committee on Judiciary.

By Mr. Creer—H. F. No. 45, a bill amending Section 27, Chapter VII., Laws of Utah, 1884, entitled, "An Act relating to procedure of Probate Courts in settlement of estates."

Read first time and referred to the Committee on Judiciary.

SPECIAL ORDER.

Substitute for H. F. No. 24, a bill to prevent the spread of malignant diseases among sheep.

Read third time, amended and passed.

Ayes—Anderson, Baty, Clark, Creer, Farnsworth, Hatch, Houston, Howell, King, Kimball, McCullough, Stratford, Stuart, Smoot, Thurber, Woolley, West, Young—18.

Noes—McLaughlin—1.

Absent—Cannon, Lund, Rider, Thurman—4.

Title approved.

MESSAGE FROM THE COUNCIL.

Council Chamber,
Feb. 9, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed C. F. No. 16, a bill to regulate the practice of medicine and the selling of medicines.

C. F. No. 31, a bill amending Sections 2 and 3 of Chapter XXXI., Session Laws of 1882, entitled, "An Act relating to the duties of Territorial Sealer of Weights and Measures," and for other purposes, and the same are now forwarded for your action thereon.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

C. F. No. 16, read by its title, and referred to the Committee on Public Health.

C. F. No. 31, read by its title, and referred to the Committee on Manufactures and Commerce.

MOTIONS AND RESOLUTIONS.

Mr. West moved that when this House adjourn, it be until to-morrow morning at 10 o'clock.
Carried.

SECOND READING OF BILLS.

Substitute for H. F. No. 33, an Act to restrain bulls from running at large during certain seasons of the year.

Read second time and placed on general file.

H. F. No. 43, an Act making appropriations for deficiencies for the Territorial Insane Asylum.

Read second time, ordered printed and filed for third reading.

COMMUNICATION FROM HIS EXCELLENCY GOVERNOR
ELI H. MURRAY.

Territory of Utah,
Executive Office,
Salt Lake City, Feb. 9, 1886. }

To Hon. W. W. Ritter, Speaker of the House:

SIR:—The present law governing bail was taken from the California Code, from which much of our law is copied. The practice which the bill before me proposes to change, continues in California, in New York, and, as a rule, throughout the United States.

The practical results, should this bill become a law at this time, will be to supplement and aid the purposes of those who for years have been and now are combined to defeat the execution of laws of the United States.

The defense fund, to which I have heretofore asked your attention, has been applied for this purpose not only in Utah, but in our neighboring Territories of

Idaho and Arizona, in the vain hope of successfully defending the system of polygamy.

The fact that the dockets and time of the courts are taken up in cases growing out of this determined defense of polygamy, and that every technicality known to the law has been resorted to in order to delay and defeat the execution of laws denouncing the system, imperatively demands of the Executive to retain every statute, which is just and applicable, that guards the administration of justice.

The section sought to be changed is applicable and just, because it has been sustained by the Supreme Court of the United States, and materially aids in the punishment of public offenders, and is a time-honored practice under the common law. Under the bill proposed, the rich man, or the man shielded by powerful confederates, after conviction will go at large, and the poor man and stranger will go to jail.

As I am in sympathy with the Government in the endeavor, and am charged to see "that the laws are faithfully executed," I must again withhold my approval from this H. F. No. 30, or any like measure, under and through which both National and Territorial laws will be delayed or defeated in their execution.

I have the honor to be,

Very respectfully,

ELI H. MURRAY,
Governor.

Ordered spread upon the minutes, and transmitted to the Council for its information.

REPORT OF CONFERENCE COMMITTEE.

Committee Room,
Feb. 9, 1886.

Mr. Speaker:

The Conference Committee appointed to confer with a like committee from the Council on Council substitute for H. F. No. 26, beg to report that they have

met with said committee, and recommend that the substitute bill as offered by the Council be adopted.

STRATFORD,
Chairman.

Adopted.

On motion of Mr. Clark, the House, at 5:20 p. m., adjourned until to-morrow, at 10 o'clock a. m.

Benediction by the Chaplain.

THIRTY-FIRST DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Wednesday, Feb. 10, 1886.

10 a. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of Tuesday read, amended and approved.

The Speaker being necessitated to leave the city, Mr. Hatch was called to take the chair.

UNFINISHED BUSINESS—SECOND READING OF BILLS.

H. F. No. 19, a bill to establish a Territorial reform school.

Read second time, and made special order for to-morrow at 2 p. m.

Substitute for C. F. No. 15, a bill defining the manner of determining disputed county boundary lines.

Amendment suggested by the committee adopted.

Bill further amended, and read second time.

Read third time, under a suspension of the rules, amended, and passed.

Ayes—Anderson, Baty, Clark, Creer, Farnsworth, Houston, Howell, King, Kimball, McCullough, Mc-

Laughlin, Rider, Stratford, Stuart, Smoot, Thurber,
Thurman, Woolley, West, Young—20.

Noes—0.

Absent—Lund, Cannon—2.

Title amended.

H. F. No. 29, a bill regulating the branding, herding and care of stock, and punishing certain offenses concerning the same.

Pending consideration, the House took a recess until 2 p. m.

2 p. m.

H. F. No. 29 read second time, amended and placed on general file.

MESSAGE FROM THE COUNCIL.

Council Chamber,
Feb. 10, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed C. F. No. 17, a bill amending Section 56, Chapter LIV., Session Laws of 1884, and the same is now forwarded for your action thereon.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Bill read by its title, and referred to the Committee on Judiciary.

THIRD READING OF BILLS.

C. F. No. 22, a bill to provide for the assignment of insolvent debtors.

Pending consideration, further discussion of the bill was indefinitely postponed.

Ayes—Clark, Creer, Cannon, Farnsworth, Kimball, McLaughlin, Stratford, Smoot, Thurman—9.

Noes—Baty, Houston, Howell, King, McCullough, Stuart, Thurber, West, Young—9.

Absent—Woolley, Rider, Lund, Anderson—4.

The Speaker cast the deciding vote in favor of the ayes.

PRESENTATION OF PETITIONS.

By Mr. Young—The report of the Chancellor and Board of Regents of the University of Deseret for the years 1884 and 1885.

Referred to the Committee on Education.

By Mr. McLaughlin—A petition from Edward P. Perry, A. E. Keeler and ninety-nine other residents of Park City, Summit County, asking for an appropriation of \$3,000 for the construction and completion of a road along Provo River, in Wasatch and Summit counties.

Read and referred to the Committee on Highways.

By Mr. Thurman—A petition from citizens of Pleasant Grove, Utah County, relating to their city charter.

Referred to the Committee on Municipal Corporations and Towns.

By Mr. Houston—A petition from David Cameron and about 100 other residents of Garfield County, asking for an appropriation of \$700 to repair the road between Panguitch and Circle Valley; also an additional amount to improve the road between Panguitch and Escalante, via Cannonville.

Read and referred to the Committee on Highways.

REPORTS OF STANDING COMMITTEES.

By the Committee on Claims and Public Accounts:

Committee Room,
Feb. 10, 1886.

Mr. Speaker:

Your Committee on Claims and Public Accounts, to whom was referred a petition, No. 27, asking for a reim-

bursement of \$22, report same back and ask that the amount be allowed.

THURMAN,
Chairman.

Referred to the Committee on Appropriations, with instructions to incorporate in the general appropriation bill.

Committee Room,
Feb. 10, 1886.

Mr. Speaker:

Your Committee on Claims and Public Accounts report as having the claim of Barlow Ferguson, Prosecuting Attorney for Beaver County, asking for \$280, services in prosecuting in the Second District Court, under advisement, and report same back, and ask the amount be not allowed.

The compensation of County Attorneys is provided for in the Compiled Laws of Utah, Chapter IV., Section 5, is prescribed and allowed by the County Court.

Respectfully,
S. R. THURMAN,
Chairman.

Adopted.

Committee Room,
Feb. 5, 1886.

Mr. Speaker:

The Committee on Claims and Public Accounts, to whom was referred the claim of E. T. Sprague for \$270, as Clerk of the Supreme Court of the Territory of Utah, respectfully recommend that the amount of \$130 be allowed. Said amount is for services performed since the last session of the Legislature of Utah.

THURMAN,
Chairman.

Adopted, with the usual recommendation that the amount be incorporated in the general appropriation bill.

By the Committee on Highways:

Committee Room,
Feb. 10, 1886.

Mr. Speaker:

Your Committee on Highways, to whom was referred C. F. No. 8, a bill pertaining to highways, have considered the same, and recommend its passage with amendments herewith submitted. We also return herewith C. F. No. 1, as its provisions are fully incorporated in C. F. No. 8.

HOWELL,
Chairman.

Received, and report filed with bill.

By the Committee on Private Corporations.

Committee Room,
Feb. 10, 1886.

Mr. Speaker:

Your Committee on Private Corporations, to whom was referred H. F. No. 22, beg leave to report the same back with a substitute bill, and ask that said substitute bill be put upon its passage.

CREER,
Chairman.

Adopted and substitute bill placed on general file.

MOTIONS AND RESOLUTIONS.

Mr. Speaker:

I move that the Committee on Fish and Game be instructed to either incorporate the following in the bill now being considered by them or in a new bill, viz.: That any person who fishes in Mill creek, Parley's creek, Immigration creek and City creek, in Salt Lake County, for the term of three years is deemed guilty of a misdemeanor.

D. C. YOUNG.

Referred to the Committee on Fish and Game.

On motion of Mr. Kimball the House at 5 p. m.
adjourned until to-morrow at 10 o'clock a. m.

Benediction by the Chaplain.

THIRTY-SECOND DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Thursday, Feb. 11, 1886.

10 a. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of Wednesday read, amended and approved.

On motion of Mr. Stratford, Mr. West was excused
from attendance at this morning's session.

On motion of Mr. Smoot, the House took up the
regular order of business, instead of going on with the
unfinished business of the previous day.

PRESENTATION OF PETITIONS.

From Rupert Brown and a number of other residents of West Jordan, Salt Lake County, praying for a further legislative enactment restricting cattle from running at large during certain seasons of the year.

Referred to the Committee on Agriculture and Irrigation.

From Helena Madson and a number of other female residents of Gunnison, Sanpete County, praying for a legislative enactment prohibiting the sale of intoxicating liquors within one mile of any church, school, etc., in this Territory.

Referred to the Committee on Manufacture and Commerce

By Mr. Hatch—A petition from Thos. S. Watson and about 50 other residents of Heber precinct, asking that the sum of \$3,000 be appropriated for the construction

and completion of a road along Provo river in Wasatch and Summit Counties.

Referred to the Committee on Highways.

- By Mr. Farnsworth—A petition from J. R. Wilkins, Clerk of the Second District Court, asking that a new safe be provided for his district.

Referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES.

By the Committee on Enrollment:

Committee Room.

Feb. 11, 1886.

Mr. Speaker:

Your Committee on Enrollment respectfully report that H. F. No. 26, entitled, An Act amending Section 6, Chapter XLIV., Session Laws of 1884, has been correctly enrolled and forwarded to His Excellency the Governor for executive action thereon.

Respectfully, etc.,

Jos. A. WEST,

Chairman.

MOTIONS AND RESOLUTIONS.

Mr. King moved that the County Clerks of the counties that had received appropriations for the repairs of roads, bridges, etc., at the last session of the Territorial Legislature, be instructed to furnish this House with information as to how said appropriations had been expended and whether they had been lawfully and properly applied.

Carried.

SECOND READING OF BILLS.

C. F. No. 8, A bill pertaining to highways.

Pending consideration, the House took a recess until 2 p. m.

2 p. m,

On motion of Mr. King, C. F. No. 8 was made a special order for to-morrow.

Substitute for H. F. No. 22, a bill to amend Chapter 3 of an act compiling and amending the laws relating to private corporations, approved March 13, 1884.

Read the second time.

Read third time, under a suspension of the rules and pending discussion, the bill was made a special order for to-morrow.

MESSAGES FROM THE COUNCIL.

Council Chamber,
Feb. 10, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed C. F. No. 30, a bill amending Section 817, Chapter VII., Title XI., Code of Civil Procedure.

C. F. No. 34, a bill amending Section 6, Chapter XLV., Laws of Utah, 1884, and the same are now forwarded for your action thereon.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

C. F. No. 30, read and referred to the Committee on Judiciary.

C. F. No. 34, read by its title and referred to the Committee on Private Corporations.

Council Chamber,
February 11, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council does not concur in House amendment to C. F. No. 15, relating to disputed county boundary lines, and respectfully ask a committee on Conference in reference to same.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

On motion of Mr. Smoot, a committee on conference was appointed, the Speaker naming Mr. Hatch Chairman of the Committee on Counties, and Mr. McLaughlin to act in behalf of the House.

THIRD READING OF BILLS.

H. F. No. 43, a bill making appropriations for deficiencies for the Territorial Insane Asylum.

Read third time and passed.

Ayes—Anderson, Baty, Clark, Creer Farnsworth, Hatch, Houston, Howell, King, Kimball, McCullough, McLaughlin, Stratford, Stuart, Smoot, Thurber, Thurman, West Young—19.

Noes—0.

Absent—Cannon, Lund, Rider, Woolley—4.

Title approved.

Substitute for H. F. No. 33, a bill to restrain bulls from running at large during certain seasons of the year.

Read third time, amended and passed.

Ayes—Anderson, Baty, Clark, Creer, Farnsworth, Hatch, Houston, Howell, King, Kimball, McCullough, McLaughlin, Stratford, Stuart, Smoot, Thurber, Thurman, West—18.

Noes—0.

Absent—Cannon, Lund, Rider, Woolley, Young—5.

Title approved.

C. F. No. 13, a bill providing for a Territorial Board of Equalization.

Read third time by sections, amended and lost.

Ayes—Baty, Clark, Creer, Howell, King, McCullough, Stratford, Young—8.

Noes—Anderson, Farnsworth, Hatch, Houston, Kimball, McLaughlin, Stuart, Smoot, Thurber, Thurman—10.

Absent—Woolley, West, Rider, Lund, Cannon—5.

H. F. No. 29, a bill regulating the herding, branding and care of stock, and punishing certain offenses concerning the same.

Made special order for Tuesday, the 16th inst.

H. F. No. 19, a bill to provide for the establishment of a Territorial reform school.

Made special order for Monday, the 15th inst.

MESSAGES FROM THE COUNCIL.

Council Chamber,
Feb. 11, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day appointed Councilors Barton and Grover as conferees on the part of the Council in reference to substitute for C. F. No. 15—disputed county boundary lines.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Council Chamber,
Feb. 11, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day postponed indefinitely substitute for H. F. No. 24, to prevent the spread of malignant disease among sheep, and the same is herewith returned.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Council Chamber,
Feb. 11, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed C. F. No. 26, a bill amending Section 2 of Chapter XXXI., Session Laws 1880. Also, C. F. No. 32, a bill to prevent the befouling of waters and for other purposes, and the same are now forwarded for your action thereon.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

C. F. No. 26, read by its title, and referred to the Committee on Asylum for the Insane.

C. F. No. 32, read by its title, and referred to the Committee on Public Health.

On motion, the Sergeant-at-Arms was instructed to bring the absent members before the bar of the House.

MISCELLANEOUS.

Mr. Creer presented a bill of \$663.10 from the Clerk of the Third District Court.

Referred to the Committee on Claims and Public Accounts.

On motion, Mr. Farnsworth was excused from attendance until Tuesday, the 16th inst.

On motion of Mr. King, the House, at 4:30 p. m., adjourned until to-morrow at 2 p. m.

Prayer by the Chaplain.

THIRTY-THIRD DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Friday, Feb. 12, 1886.

2 p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of Thursday read and approved.

On motion of Mr. King, the Chief Clerk was granted a leave of absence.

On motion of Mr. Houston, Mr. Thurber was granted a leave of absence until Tuesday, the 16th inst.

Mr. Wolley was granted a leave of absence on account of urgent committee work.

PRESENTATION OF PETITIONS.

By Mr. Houston—A petition from L. H. Redd, ex-Assessor and Collector of San Juan County, asking that he be reimbursed for uncollected taxes for 1884.

Referred to the Committee on Claims and Public Accounts.

By Mr. Lund—A petition from citizens of Emery County, asking for an appropriation to aid in the construction of bridges.

Referred to the Committee on Highways.

The Speaker read a telegram from E. G. Woolley, of Washington County, stating that the Hon. Jno. Rider, member from Washington and Kane Counties, had been seriously ill, but that he would start for Salt Lake to-day.

REPORTS OF STANDING COMMITTEES.

By the Committee on Claims and Public Accounts:

Committee Room,
Feb. 12, 1886.

Mr. Speaker:

Your Committee on Claims and Public Accounts, to whom was referred the claim of Beaver County for \$1,062.49, for criminal prosecution, and the claim of Zera Snow for \$100.00, for services in the Tremain case, respectfully recommend that they be rejected, for the reason that in the former the Compiled Laws, Sec. 2,369, provide that the county should meet such expenses, and in the latter the services performed in said case were within the legitimate line of his duty as Assistant District Attorney.

THURMAN,
Chairman.

Adopted.

Committee Room,
Feb. 12, 1886.

Mr. Speaker:

The Committee on Claims and Public Accounts, to whom was referred the petition of John W. Turner for reimbursement of money expended in third and fourth trials of Frederick Höpt, herewith return the same and recommend that said amount, to-wit: \$718.25 be allowed and appropriated.

While the Committee believe that the amount has been expended for the public benefit and ought to be allowed, in view of the facts of this particular case, yet they believe it also their duty to express an opinion that private individuals ought not to voluntarily incur expense even for the public benefit with the expectation of reimbursement. If the law is defective in not providing a fund for contingencies of a public nature, it is not the fault of the private citizen, nor does it render it incumbent upon him to correct the error by incurring an expense which the public have not previously authorized.

The above recommendation is made, however, in view of the fact that heretofore such claims have been allowed without comment, and the citizen has thus been led to expect that any expense incurred for the public good, notwithstanding the want of authority, would be allowed by the Legislature as a matter of right.

THURMAN,
Chairman.

Recommendations adopted, and the amount ordered to be included in the general appropriation bill.

Committee Room
Feb. 12, 1886.

Mr. Speaker:

The Committee on Claims and Public Accounts, to whom was referred the claim of John M. Zane, Clerk of the Third Judicial District Court, for services as Clerk

from September 1, 1884, to December 31, 1885, aggregating \$1,153.35, herewith return the same, and recommend that \$1,141.80 be allowed and appropriated. The balance of said claim, to-wit: \$11.55, appears to have been for fees in cases appealed from Justices' Courts, either of Salt Lake County or City. In either case, if a conviction had been obtained in the District Court, the fines would have been placed in the county or city treasury. The Committee, therefore, venture the opinion that the county or city, as the case may be, and not the Territory, is properly chargeable with the rejected portion of said claim.

THURMAN,
Chairman.

Adopted, and papers and bills referred to the Committee on Appropriation.

By the Committee on Manufactures and Commerce:

Committee Room,
Feb. 9, 1886.

Mr. Speaker:

Your Committee on Manufactures and Commerce, to whom was referred C. F. No. 31, a bill amending Chapter XXXI., Session Laws of 1882, entitled, "An Act relating to the duties of Territorial Sealer of Weights and Measures," and for other purposes, report back said bill, and recommend that it be put on its passage.

Respectfully,
STUART,
Chairman.

Report filed with bill.

By the Committee on Education:

Committee Room,
Feb. 11, 1886.

Mr. Speaker:

The Committee on Education, to whom was referred the biennial report of the Territorial Superintendent of

District Schools, and the report of the Chancellor and Board of Regents of the University of Deseret for the years 1884-5, respectfully report that they have examined the same, and recommend further action thereon as provided in the accompanying resolution.

CANNON,
Chairman.

Resolved, By the House of Representatives, the Council concurring, that three thousand copies of the biennial report of the Territorial Superintendent of District Schools, in connection with there port of the Chancellor and Board of Regents of the University of Deseret, for the years 1884 and 1885, be printed for distribution to the school superintendents, teachers and trustees throughout the Territory, under the direction of the Territorial Superintendent.

CANNON.

Resolution amended so as to read five thousand copies, and adopted.

By the Committee on Public Health:

Committee Room,
Feb. 12, 1886.

Mr. Speaker:

Your committee to whom was referred C. F. No. 32, a bill to prevent the befouling of waters, and for other purposes, report the same back, and recommend that it be put upon its passage.

YOUNG,
Chairman.

Adopted.

REPORT OF SELECT COMMITTEE.

By the Committee on Conference:

Committee Room,
Feb. 12, 1886.

Mr. Speaker:

Your Committee on Conference, appointed to meet

with like Committee of the Council to consider the differences of opinion between the Council and the House, in relation to C. F. 15, have met and after a careful consideration of the subject, report an agreement that the House amendment stand.

HATCH,
Chairman.

Adopted.

SPECIAL ORDER.

Substitute for H. F. No. 22, a bill to amend Chapter 3 of an Act compiling and amending the laws relating to private corporations, approved March 13, 1884.

Read third time and passed.

Ayes—Anderson, Baty, Clark, Creer, Cannon, Houston, Howell, King, Kimball, Lund, Stratford, Stewart, Smoot, McCullough, West, Young, Hatch—17.

Noes—McLaughlin—1.

Not Voting—Thurman—1.

Absent—Farnsworth, Rider, Thurber Woolley—4.
Title approved.

C. F. No. 8, a bill pertaining to highways.

Amended, passed its second reading, and placed on general file.

MESSAGE FROM THE COUNCIL.

Council Chamber,
Feb. 12, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has adopted the report of Conference Committee and concurred to House amendment to C. F. No. 15, a bill defining the manner of determining and establishing disputed county boundary lines.

Respectfully,

V. L. HALLIDAY,
Clerk pro tem.

MOTIONS AND RESOLUTIONS.

Mr. West moved that when this House adjourn, it be until Monday at 2 p. m.

Carried.

SECOND READING OF BILLS.

C. F. No. 31, relating to the duties of Territorial Sealer of Weights and Measures.

Read second time by sections.

Read third time, by its title, under a suspension of the rules, and passed.

Ayes—Anderson, Baty, Clark, Creer, Hatch, Houston, Howell, King, Kimball, Lund, McCullough, McLaughlin, Stratford Stuart, Smoot, Woolley, West—18.

Noes—Cannon, Young—2.

Absent—Rider, Thurber, Thurman—3.

Title approved.

C. F. No. 32, a bill to prevent the befouling of waters and for other purposes.

Read second time, and placed on general file.

On motion of Mr. Cannon, the House, at 5 p. m., adjourned until Monday at 2. p. m.

Benediction by the Chaplain.

THIRTY-SIXTH DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Monday, Feb. 15, 1886.

2 p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll call—quorum present.

Prayer by the Chaplain.

Journal of Friday read, amended and approved.

PRESENTATION OF PETITIONS.

By Mr. McLaughlin—A petition from citizens of

Kamas, asking that the Legislature appropriate means for the construction of a road along Provo river in Wasatch and Summit counties.

Referred to the Committee on Highways.

By Mr. Smoot—A petition from Henry W. Lawrence and 499 other citizens of Salt Lake, asking that the Legislature enact a prohibitory liquor law.

Referred to the Committee on Manufacture and Commerce.

By Mr. Smoot—A petition from Miss E. S. Dickey, President, and Mrs. T. H. Terhune, Secretary of the Salt Lake branch of the National Woman's Christian Temperance Union, asking that a law be passed providing for temperance instruction and the use of temperance text books in the district schools of this Territory.

Referred to the Committee on Education.

By Mr. Kimball, a petition from citizens of Rich County, asking for an appropriation to aid in the construction of roads.

Referred to the Committee on Highways.

By Mr. Hatch—A petition, accompanied by a bill from S. Hudson and 12 other residents of Salt Lake City, asking that a law be enacted to guard the sanctity of the nominative franchise.

Referred to the Committee on Elections.

REPORTS OF STANDING COMMITTEES.

By the Committee on Municipal Corporations and Towns :

Committee Coom,
Feb. 15, 1886.

Mr. Speaker:

The Committee on Municipal Corporations and Towns, to whom was referred the petition by citizens of Alpine for amendments to their city charter, report that said committee have duly considered the same and herewith present a bill in accordance with said petition and recommend that it be put upon its passage.

THURMAN,
Chairman.

Adopted.

Committee Room,
Feb. 15, 1886.

Mr. Speaker:

The Committee on Municipal Corporations and Towns, to whom was referred C. F. No. 28, a bill amending an Act incorporating the city of Moroni, in Sanpete County, herewith return the same and recommend that it be amended by striking out Section 2 and inserting in lieu thereof the following: Section 2. That Section 1 of an Act amending an Act to incorporate the city of Moroni in Sanpete County, approved February 18, 1870, be and the same is hereby repealed.

THURMAN,
Chairman

Report filed with bill:

By the Committee on Private Corporations:

Committee Room,
Feb. 15, 1886.

Mr. Speaker:

Your Committee on Private Corporations, to whom was referred H. F. No. 39, beg leave to report that we have considered the same, and recommend that it be put upon its passage.

CREER,
Chairman.

Adopted.

By the Committee on Judiciary:

Mr. Speaker:

Your Committee to whom was referred H. F. No. 9, with instruction, herewith return the same to the Clerk's desk, and offer a new bill incorporating another section, and ask that it be put upon its passage.

HATCH.
Chairman.

INTRODUCTION AND FIRST READING OF BILLS.

H. F. No. 46, a bill amending an Act incorporating Alpine City.

Read by its title, and placed on general file.

H. F. No. 47, a bill for an Act for the selection and payment of jurors.

Read by its title and placed on general file.

SPECIAL ORDER.

H. F. No. 19, a bill to establish a Territorial reform school.

Pending consideration, the further discussion of the bill was postponed until to-morrow.

MESSAGE FROM THE COUNCIL.

Council Chamber,
Feb. 15, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed H. F. No. 43, making appropriations for deficiencies for the Territorial Insane Asylum, with amendments, and the same is now returned for your further action thereon.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

Amendment concurred in.

On motion of Mr. Young, the House, at 5:25 p. m., adjourned until 10 o'clock a. m., to-morrow.

Benediction by the Chaplain.

THIRTY-SEVENTH DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Tuesday, Feb. 16, 1886.

10 a. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of Monday read, amended and approved.

UNFINISHED BUSINESS—SPECIAL ORDER.

H. F. No. 19, a bill to establish a Territorial reform school.

Read third time, amended and passed.

Ayes—Anderson, Baty, Clark, Creer, Farnsworth, Hatch, Houston, Howell, Kimball, Lund, McCullough, Rider, Stratford, Stuart, Smoot, Woolley, Young—17.

Noes—King, McLaughlin, Thurman—3.

Absent—Cannon, Thurber, West—3.

Title approved.

SECOND READING OF BILLS.

C. F. No. 28, a bill amending an Act incorporating the city of Moroni.

Read second time, by its title.

Read third time, by sections, under a suspension of the rules, amended and passed.

Ayes—Anderson, Baty, Clark, Creer, Farnsworth, Hatch, Houston, Howell, King, Kimball, Lund, McLaughlin, McCullough, Rider, Stratford, Stuart, Smoot, Thurman, Woolley, Young—20.

Noes—0.

Absent—Cannon, Thurber, West—3.

Title approved.

H. F. No. 39, a bill to amend an Act in relation to mortgages of personal property.

Read second time, ordered printed, and made a special order for Thursday, the 18th inst.

THIRD READING OF BILLS.

C. F. No. 8, a bill pertaining to highways.

Pending consideration, the House took a recess until 2 p. m.

2 p. m.

C. F. No. 8, amended and passed.

Ayes—Anderson, Baty, Clark, Creer, McLaughlin, Hatch, Houston, Howell, King, Kimball, Lund, McCullough, Rider, Stratford, Stuart, Woolley—16.

Noes—Farnsworth, Smoot, Thurman, Young—4.

Absent—Cannon, Thurber, West—3.

Substitute for C. F. No. 32, a bill to prevent the befouling of waters, and for other purposes.

Amended, read third time and passed.

Ayes—Baty, Clark, Creer, Farnsworth, Hatch, Houston, Howell, King, Kimball, Lund, McCullough, McLaughlin, Rider, Stuart, Smoot, Stratford, Thurman, Woolley, Young—19.

Noes—Anderson—1.

Absent—Cannon, Thurber, West—3.

Title amended.

MESSAGE FROM THE COUNCIL.

Council Chamber,
Feb. 16, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day concurred in House amendments to C. F. No. 28, amending an Act incorporating the city of Moroni, in Sanpete County.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

MISCELLANEOUS.

On motion of Mr. Stratford, Mr. West, of Weber County, was granted a leave of absence on account of sickness in his family.

PRESENTATION OF PETITIONS.

By the Speaker—A petition from the Young Ladies' Mutual Improvement Society of Mt. Pleasant, asking that a law be passed prohibiting the sale of any intoxicating liquors within one mile of any school, church or place of public worship in this Territory.

Referred to the Committee on Manufactures and Commerce, with instructions to report on this and all similar petitions now in their possession at an early day as possible.

By Mr. Rider—A petition from ladies of Kane County, asking that certain restrictions be placed upon the sale of intoxicating liquors.

Referred to the Committee on Manufactures and Commerce

By Mr. Anderson—A petition from citizens of Grantsville, Tooele County, asking for certain amendments to their city charter.

Referred to the Committee on Municipal Corporations and Towns.

By Mr. Rider, a petition from H. B. M. Jolly and 63 other residents of Kane County, asking that \$1,000 appropriated in 1882, for the construction of a road in Shonesburg Canyon, be transferred to Long Valley.

Referred to the Committee on Highways.

REPORT OF STANDING COMMITTEES.

By the Committee on Municipal Corporations and Towns.

Feb. 16, 1886.

Mr. Speaker:

The Committee on Municipal Corporations and Towns, to whom was referred H. F. 15, to amend the

charter of the city of Richfield, herewith return the same, and recommend that said bill be amended as follows, to-wit:

By inserting in the sixth line of Section 1, after the word "hotels," the word "keepers;" also after the word "stables." in said line insert the word "keepers." Also by striking out all of the seventh line after the word "butchers."

Also that Section 3 of said bill be amended by inserting the word "and" after the word "officers" in line three of said section, and by striking out all after the word "officers" in line four of said section.

Also that Section 4 be stricken out, and the following substituted in lieu thereof: Section 4. To have exclusive power within the city by ordinance to license, tax, regulate, suppress or restrain the use of billiard and pool tables, and to punish the owners or keepers thereof, and to suppress and prohibit every description of gaming and gambling.

THURMAN,
Chairman.

Report filed with bill.
By the Committee on Enrollment.

Committee Room,
Feb. 16, 1886.

Mr. Speaker:

Your Committee on Enrollment respectfully report that H. F. No. 43, an Act making appropriations for deficiencies for the Territorial Insane Asylum, has been correctly enrolled and this day forwarded to the Governor for approval.

Respectfully etc.,
R. H. BATY,
Of Committee on Enrollment.

By the Committee on Highways:

Committee Room,
Feb. 16, 1886.

Mr. Speaker:

Your Committee on Highways have investigated the

matter of the petition of some of the residents of Tooele County, asking an appropriation for roads in said county, respectfully recommend: first, that \$800 be appropriated to be expended on the road between the terminus of the Utah & Nevada railway and Ophir; second, that \$200 be appropriated to be expended on the road between Stockton and Grantsville; third, that \$200 be appropriated to be expended on the road between the points known as County Mill and Knolton's Ranch. The above amount to be drawn and expended as hereby provided under the direction of the County Court of Tooele County, provided that Tooele County expend upon each of said roads the sum of \$200 in addition to the amount herein appropriated.

HOWELL,
Chairman.

Adopted.

Committee Room,
Feb. 16, 1886.

Mr. Speaker:

Your Committee on Highways, to whom was referred the petition of certain residents of Millard County asking an appropriation of \$1,000 to build a bridge across Sevier River at Deseret, in said county, respectfully recommend that the sum of \$700 be appropriated to said county for that purpose.

HOWELL,
Chairman.

Adopted.

By the Committee on Public Health:

Committee Room,
Feb. 10, 1886.

Mr. Speaker:

Your Committee to whom was referred C. F. No. 16, a bill to regulate the practice of medicine and the selling of medicines, report the same back, and recommend it to be put upon its passage.

YOUNG,
Chairman.

Report filed with bill.

SPECIAL ORDER.

H. F. No. 29, a bill regulating the branding, herding and care of stock, and punishing certain offenses against the same.

Amended, read third time and passed.

Ayes—Anderson, Baty, Clark, Creer, Farnsworth, Hatch, Houston, King, Kimball, Lund, McCullough, Rider, Stratford, Stuart, Smoot, Woolley, Young—17.

Noes—McLaughlin, Thurman—2.

Absent—Cannon, Howell, Thurber, West—4.

On motion of Mr. Clark, the House at 4:50 p. m. adjourned until 2 o'clock p. m. to-morrow.

Benediction by the Chaplain.

THIRTY-EIGHTH DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Wednesday, Feb. 17, 1886.

2 p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of Tuesday read, amended and approved.

Mr. Houston asked that Mr. Thurber be granted further leave of absence until to-morrow.

Granted.

PRESENTATION OF PETITIONS.

By Mr. Farnsworth—A petition from Mr. Fortingham, asking reimbursement for examining records in Second Judicial District.

Referred to the Committee on Claims and Public Accounts.

By Mr. Lund—A petition from citizens of Moab, Emery County, asking that the area of their county

reduced, and that the eastern part be annexed to San Juan County.

Referred to the Committee on Counties,

MESSAGE FROM THE COUNCIL.

Council Chamber,
Feb. 16, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed substitute for H. F. No. 33, to prohibit bulls from running at large during certain seasons of the year, with amendments, and the same is returned for your further action.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Bill referred to the Committee on Live Stock.

REPORTS OF STANDING COMMITTEES.

By the Committee on Private Corporations:

Committee Room,
Feb. 17, 1886.

Mr. Speaker:

Your Committee on Private Corporations, to whom was referred C. F. No. 34, beg to report back said C. F. No. 34, and present a substitute bill in lieu thereof.

CREER,
Chairman.

Substitute read second time by its title, and ordered printed.

By the Committee on Municipal Corporations and Towns:

Committee Room,
Feb. 17, 1886.

Mr. Speaker:

The Committee on Municipal Corporations and

Towns, to whom was referred C. F. No. 3 and H. F. No. 32, bills to amend the charter of Smithfield City, in Cache County, herewith return the same, and recommend that said bills be consolidated and amended as follows, to-wit: That said C. F. No. 3 be amended and adopted by adding thereto said H. F. No. 32, after striking out of said H. F. No. 32 the title and enacting clause, and that the sections of said bill be amended to correspond with said consolidation.

THURMAN,
Chairman.

Report filed with bill.

Committee Room,
Feb. 17, 1886.

Mr. Speaker:

The Committee on Municipal Corporations and Towns, to whom was referred petition and remonstrance of Pleasant Grove citizens, herewith return the same and present a bill in accordance with the mutual desires of said parties. We recommend that the bill be put on its passage.

THURMAN,
Chairman.

Bill read first time, by its title, and placed on general file.

By the Committee on Highways :

Committee Room,
Feb. 17, 1886.

Mr. Speaker:

Your Committee on Highways have considered the petition (No. 35) of David Cameron and other residents of Garfield County, and recommend that \$500 be appropriated to assist in building bridges and repairing roads between Circle Valley and Panguitch in said county, to be drawn and expended under the direction of the County Court of Garfield County.

HOWELL,
Chairman.

Adopted.

Committee Room,
Feb. 17, 1886.

Mr. Speaker:

Your Committee on Highways, to whom was referred petition (No. 9) of residents of Kane County asking an appropriation of \$2,500 to repair roads through Kanab Canyon and to build a bridge across the Kanab Creek, have carefully investigated the matter and recommend that \$1,500 be appropriated for that purpose, to be drawn and expended under the direction of the County Court of Kane County.

HOWELL,
Chairman.

Adopted.

Committee Room,
Feb. 17, 1886.

Mr. Speaker:

Your Committee on Highways, to whom was referred petition (No. 51) of certain residents of Kane County, setting forth that in the year 1882 the sum of \$1,000 was appropriated to aid in the construction of a wagon road in Shonesburg Canyon, but has not been drawn by said county, and asking that the County Court of Kane County be authorized to draw and expend said \$1,000 on the wagon road through Long Valley, in said county, respectfully recommend that the Probate Judge of Kane County be authorized to draw said \$1,000 from the Territorial Treasury, and that the amount be expended on the road through Long Valley, in Kane County, under the direction of the County Court of said county, provided that Kane county expend on said road the sum of \$500 in addition to the said amount, heretofore appropriated.

HOWELL,
Chairman.

Adopted.

By the Committee on Asylum for the Insane:

Committee Room,
Feb. 17, 1886.

Mr. Speaker:

Your Committee on Asylum for the Insane, to whom was referred C. F. No. 26, a bill amending Section 2, Chapter XXXI., Session Laws of 1880, providing for the election of the Board of Directors for the Territorial Insane Asylum, after due consideration report same back and ask that it be put upon its passage.

Respectfully,

W. C. A. SMOOT, JR.,
Chairman.

By the Committee on Judiciary:

Committee Room,
Feb. 17, 1886.

Mr. Speaker:

Your Committee on Judiciary to whom was referred H. F. 6, on enforcement of liens, report the same back, and recommend that it be put upon its passage.

HATCH,
Chairman.

Committee Room,
Feb. 16, 1886.

Mr Speaker:

Your Committee on Judicary, to whom was referred H. F. 38, after careful consideration, return the same back with the recommendation that the legislation therein called for is not specially necessary.

HATCH.
Chairman.

Adopted.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. West—H. F. No. 49, a bill prescribing qualifications for electors and office holders. Providing for

the registration of voters and regulating the manner of conducting elections.

Read first time, by its title, and referred to the Committee on Elections.

By Mr. West—H. F. No. 50, a bill providing for a Territorial Board of Equalization.

Read first time, by its title, and referred to the Committee on Ways and Means.

SECOND READING OF BILLS.

H. F. No. 46, a bill amending an Act incorporating Alpine City.

Read second time.

Read third time, under a suspension of the rules, amended and passed.

Ayes—Anderson, Baty, Clark, Creer, Farnsworth, Cannon, Houston, Howell, King, Kimball, Lund, McLaughlin, McCullough, Rider, Stratford, Stuart, Smoot, Thurman, Woolley, Young—21.

Noes—0.

Absent—Thurber, West—2.

Title amended.

H. F. No. 47, a bill for an Act for the selection and payment of jurors.

Read second time.

Read third time, by its title, under a suspension of the rules, and passed.

Ayes—Anderson, Baty, Clark, Creer, Cannon, Farnsworth, Hatch, Houston, Howell, King, Kimball, Lund, McCullough, Rider, Stratford, Stuart, Smoot, Thurman, Woolley, Young—20.

Noes—McLaughlin,—1.

Absent—Thurber, West—2.

Title approved.

C. F. No. 15, a bill to regulate the practice of medicine and the sale of medicines.

Enacting clause stricken out.

H. F. No. 15, a bill for an Act to amend the charter of the city of Richfield, Sevier County.

Amended, read second time, and placed on general file.

C. F. No. 3, a bill amending an Act incorporating Smithfield, and H. F. No. 32, referring to the same subject.

Bills consolidated in conformity to the suggestion of the committee, and ordered printed.

C. F. No. 26, a bill amending Section 2, Chapter XXXI., Session Laws of 1880.

Read second time.

Read third time by its title, under a suspension of the rules, and lost.

Ayes—Anderson, Baty, Clark, Cannon, Howell, King, Stratford, Thurman, Young—9.

Noes—Creer, Farnsworth, Hatch, Houston, Kimball, Lund, McCullough, McLaughlin, Rider, Stuart, Smoot—11.

Absent—Thurber, West—2.

H. F. No. 6, a bill to amend Title IV., Chapter I., Section 1058, Laws of 1884 (enforcement of liens).

Consideration of bill postponed until Friday the 19th inst.

H. F. No. 48, a bill amending an Act incorporating the city of Pleasant Grove.

Read second time by its title and ordered printed.

MESSAGE FROM THE COUNCIL.

Council Chamber,
Feb. 17, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed C. F. No. 29, a bill to provide revenue for the Territory of Utah and the several counties thereof, and the same is now forwarded for your action thereon.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Bill read by its title, and referred to the Committee on Ways and Means.

MISCELLANEOUS.

Mr. Thurman presented the claims from A. O. Smoot, Jr., Assessor and Collector, and Jno. W. Turner, ex-Assessor and Collector of Utah County, asking to be reimbursed for uncollected taxes.

Referred to the Committee on Claims and Public Accounts.

On motion of Mr. Stratford the House at 4 p. m. adjourned until to-morrow at 2 p. m.

Benediction by the Chaplain.

THIRTY-NINTH DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Thursday, Feb. 18, 1886.

2 p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of Wednesday read, amended and approved.

PRESENTATION OF PETITIONS.

By Mr. Lund—A petition from citizens of Mt. Pleasant, asking that their city charter be amended.

Read and referred to the Committee on Municipal Corporations and Towns.

REPORTS OF STANDING COMMITTEES.

By the Committee on Elections:

Committee Room,
Feb. 18, 1886.

Mr. Speaker:

Your Committee on Elections, to whom was re-

ferred C. F. No. 14, beg leave to report that we have considered the same, and recommend that it be put upon its passage.

BATY,
Chairman.

Committee Room,
Feb. 18, 1886.

Mr. Speaker:

Your Committee on Elections, to whom was referred H. F. No. 49, beg leave to report that we have considered the same, and recommend that it be put upon its passage.

BATY,
Chairman.

By the Committee on Highways:

Committee Room,
Feb. 18, 1886.

Mr. Speaker:

Your Committee on Highways, to whom was referred petition No. 11, from the County Court of Beaver County, having carefully considered the same, respectfully recommend that the sum of one thousand dollars be appropriated to said county to be expended on the roads between Milford and Minersville, and between Minersville and Beaver City, under the direction of the County Court of said county.

HOWELL,
Chairman.

Adopted.

By the Committee on Ways and Means:

Committee Room,
Feb. 18, 1886.

Mr. Speaker:

The Committee on Ways and Means, to whom was referred H. F. No. 50, a bill providing for Territorial Board of Equalization, beg leave to report the bill back

without amendment, and recommend that it be put upon its passage.

STRATFORD,
Chairman.

By the Committee on Agriculture and Irrigation:

Committee Room,
Feb. 18, 1886.

Mr. Speaker:

Your Committee on Agriculture and Irrigation, to whom was referred H. F. No. 35, a bill to encourage the sinking of artesian wells, report the same back with the recommendation that it be put upon its passage.

KING,
Chairman.

Adopted..

By the Committee on Penitentiary and Reform School:

Committee Room,
Feb. 18, 1886.

Mr. Speaker:

Your Committee on Penitentiary and Reform School, to whom was referred H. F. No. 16, a bill to lessen the terms of sentence of convicts for good conduct, report that we have duly considered the same and recommend that it be put upon its passage.

A. H. LUND,
Chairman.

Report adopted, and bill ordered printed.

By the Committee on Claims and Public Accounts:

Committee Room,
Feb. 18, 1886.

Mr. Speaker:

The Committee on Claims and Public Accounts, to

whom was referred the petition of A. O. Smoot, Jr., Collector of Utah County, for relief on account of uncollected taxes for 1884, find that said amount has been paid into the Territorial Treasury, and has been uncollected without fault of said Collector; Committee recommend that said amount, to-wit: \$85.71, be allowed and appropriated.

THURMAN,
Chairman.

Adopted.

Committee Room,
Feb. 18, 1886.

Mr. Speaker:

The Committee on Claims and Public Accounts, to whom was referred the claim of William Fotheringham for examining records of Second District Court, find that said services were performed, and recommend that the amount, to-wit: \$150, be allowed and appropriated.

THURMAN,
Chairman.

Adopted.

Committee Room,
Feb. 18, 1886.

Mr. Speaker:

The Committee on Claims and Public Accounts, to whom was referred the claim of L. A. Redd, ex-Assessor and Collector of San Juan County, for \$10.75, on account of uncollected taxes for the year 1884, said amount having been paid into the Territorial Treasury, recommend that the amount be allowed and appropriated.

THURMAN,
Chairman.

Adopted.

Committee Room.
Feb. 18, 1886.

Mr. Speaker:

Your Committee on Claims and Public Accounts, to

whom was referred the petition of John W. Turner, ex-Collector of Utah County, for unsettled taxes for the years 1882, 1883, find that said amount, to-wit: \$141.27 has been paid into the Territorial Treasury, and has not been collected and that without fault of said petitioner. Committee recommend that said amount be allowed and appropriated.

THURMAN,
Chairman.

Adopted. .

By the Committee on Judiciary:

Committee Room,
Feb. 18, 1886.

Mr. Speaker:

The Judiciary Committee, to whom was referred H. F. No. 31, beg leave to report the same back without action, as the items therein contained are being incorporated in a new bill which will also contain several other amendments of a like class.

HATCH,
Chairman.

Adopted.

By the Committee on Ways and Means:

Committee Room
Feb. 18, 1886.

Mr. Speaker:

Your Committee on Ways and Means, to whom was referred the communication of the Auditor of Public Accounts, asking that some disposition be made of the large safe sent to the Clerk of the First District Court at Ogden; also the communication of J. R. Wilkins, Clerk of the Second District Court, requesting that a safe be sent to him for the safe keeping of the Second District Court papers and records, having had the same under consideration, would recommend that the said safe be sent to the said J. R. Wilkins for the use of said court, and that two hundred dollars, or so much thereof

as may be necessary, be appropriated to pay the expense of transportation.

STRATFORD,
Chairman.

By the Committee on Live Stock:

Committee Room,
Feb. 18, 1886.

Mr. Speaker:

Your Committee on Live Stock, to whom was referred substitute for H. F. No. 33, after duly considering the same, recommend that the House do concur in the Council amendments.

Respectfully,

KIMBALL,
Chairman.

Amendments read, and report adopted.

By the Committee on Education:

Committee Room,
Feb. 18, 1886.

Mr. Speaker:

Your Committee on Education, to whom was referred House Petition 45, from the Salt Lake branch of the National Woman's Christian Temperance Union, asking that a law be passed providing for temperance instruction, and the use of temperance text books in the common schools of this Territory, respectfully report that, so far as known to us, such instruction is given, and such text books are used in our schools, and that if anything further in this direction is necessary, it is in the province of a convention called in pursuance of Section 16, Chapter XIX., Laws of Utah, and not of this Legislature, to take steps to promote it.

CANNON,
Chairman.

Adopted.

Committee Room,
Feb. 18, 1886.

Mr. Speaker:

Your Committee on Education, to whom was referred H. F. No. 13, a bill providing for the establishment of free public libraries, respectfully report that they have duly considered the same, and are of the opinion that at the present time the providing of any new objects of taxation, except where absolutely imperative, would be unwise on the part of the Legislature and distasteful to the people generally. We therefore report the bill unfavorably.

CANNON,
Chairman.

Adopted.

Committee Room,
Feb. 18, 1886.

Mr. Speaker:

Your Committee on Education, to whom was referred House File 41, to amend Section 20, Chapter XIX., Laws of 1880, respectfully report the same back favorably, and recommend its passage.

CANNON,
Chairman.

Report adopted and bill ordered printed.

MESSAGE FROM THE COUNCIL.

Council Chamber,
Feb. 18, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed H. F. 46, amending an act to incorporate Alpine City, with amendments, and same is herewith returned for your further action.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

Council amendments concurred in.

REPORT OF THE TERRITORIAL LIBRARIAN.

Hon. W. W. Riter, Speaker, and Members of the Legislative Assembly:

GENTLEMEN.—The following is a statement of the receipts and disbursements on account of the Utah Library for the years 1884–5; also the property in my charge as Librarian, at the close of the year 1885, viz.:

RECEIPTS.

Dec. 31, 1883.	By balance on hand, ...	\$ 193.78
March 9, 1884.	“ appropriation to catalogue, etc., ...	1,000.00
Total, ...		\$1,193.78

DISBURSEMENTS.

Jan. 4, 1884.	To expressage on books.	\$ 3.00
Feb. 16, “	“ bound volume of the Contributor, ...	2.00
May 1, “	“ Paid for examining old books per order of committee, ...	5.00
May 2, “	“ Vol. LXIV., Harpers Magazine, ...	3.00
May 25, “	“ Vol. I., J. G. Blaine, 20 years of Congress, ...	4.75
Oct. 31, “	“ Illustrated Live Stock Journal, ...	4.50
Nov. 29, “	“ Directory of Colorado, Utah and Wyoming, ...	5.00
Dec. 4, “	“ Life of Stephen Girard, ...	2.00
Jan. 10, 1885.	“ Expressage, ...	3.00
Feb. 21, “	“ American Politics, Cooper	6.50
March 3, “	“ David Evans for shelving for the Library, ...	78.50
March 10, “	“ <i>Deseret News</i> , for binding books, ...	19.20
April 1, “	“ 4,000 book labels, ...	6.00
April 27, “	“ Useful Knowledge, ...	7.50
July 11, “	“ Expressage, ...	35

July	20,	"	"	Harper's and Scribner's for 1 year, ending May 1885,.....	8.00
Aug.	28,	"	"	Book for entry of names of subscribers.....	75
Sept.	12,	"	"	Salt Lake City Directory,	2.50
Oct.	24,	"	"	Salt Lake <i>Herald</i> , for printing 100 copies of catalogue, double in- dex, ...	109.00
Oct.	27,	"	"	R. Kletting, Esq., for ar- ranging and cata- loguing Utah Library,	600.00
Nov.	3,	"	"	Expressage,.....	50
Nov.	3,	"	"	Life of Jere. S. Black,..	4.50
Dec.	31,	"	"	11 vols. Encyclopædia Britanica, at \$6.00,..	66.00
Dec.	31,	"	"	18 volumes Bancroft's History of the United States, at \$5.50, ...	99.00
Dec.	31,	"	"	Personal Memoirs of U. S. Grant.....	5.00
Dec.	31,	"	"	Dickens' complete works,	12.00
Dec.	31,	"	"	Balance,.....	136.23
					\$1,193.78

The above balance of \$136.23 will be applied on the purchase of Bancroft's History of the United States and the Encyclopædia Britannica as fast as they are issued.

The contract for cataloguing the library was given to Richard Kletting, Esq., who commenced the work in February, and completed it the latter part of September, 1885. In consequence of the lax rules that were in force at the commencement of the work, it was a very difficult and tedious work to call in outstanding books, which caused delay in the work, and some disarrangement of the alphabetical order of the catalogue, as many books were returned after the work had gone to the printers, and consequently had to be entered out of their order. The catalogue is arranged under two headings. The first part being arranged according to sub-

jects, and the second part presenting a list of authors in alphabetical order. All the books have been carefully labeled and numbered according to shelf and case in which they stand, room being reserved for such volumes as may be added in the future as far as practicable. The catalogue contains blank leaves at the end of each subjective heading, so that books purchased in the future can be added in their proper order without disarranging the catalogue, and thus necessitating a repetition of the work in the near future.

The present compensation of the Librarian does not warrant his keeping the library open, only during office hours, viz.: from 9 a. m. until 5. p. m., which precludes many people from availing themselves of its benefits. I therefore would suggest that a Librarian be appointed who can devote his entire attention to the library and keep it open during such hours as will best conduce to the public good, with compensation adequate therefor.

Although the library contains a number of volumes of rather limited value, the great majority of them, and especially the extensive collection of reference and historical works are of decidedly great value. The law department, owing to our not having any system of exchange, is very incomplete, and as it is the most important part of the library, for reference for members of the Legislative Assemblies, I would suggest the advisability of making an appropriation sufficient to enable the Librarian to purchase the statutes of all the different States and Territories, the reports of California and New York, and such other reports as your honorable body may deem advisable. There should also be funds provided for the addition of modern standard publications as will keep the library in a progressive state and make it what it should be—a credit to the Territory.

Very respectfully,

N. W. CLAYTON,
Territorial Librarian.

Salt Lake City, Feb. 17, 1886.

Referred to the Committee on Territorial Library.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Cannon—H. F. No. 51, a bill amending Section 2 of Chapter XXXI., Session Laws of 1880, entitled, "An Act to establish a Territorial Insane Assylum."

Read first time, and placed on general file.

SPECIAL ORDER.

H. F. No. 39, a bill to amend an Act in relation to mortgages of personal property.

Read third time and passed.

Ayes—Anderson, Baty, Clark, Greer, Cannon, Farnsworth, Hatch, Houston, Howell, King, Kimball, Lund, McLaughlin, McCullough, Rider, Stratford, Stuart, Smoot, Thurman, Thurber, West, Woolley—22.

Noes—Young—1.

Title amended.

MOTIONS AND RESOLUTIONS.

Mr. Rider presented the following:

Resolved. The Council concurring, that no bill shall be introduced in either house of this Legislature after March 1, A. D. 1886, without the consent of two-thirds of the members of the house in which the bill is introduced.

RIDER.

Adopted.

SECOND READING OF BILLS.

C. F. No. 14, a bill apportioning the legislative representation of the Territory of Utah.

Made special order for Tuesday, the 23d, inst.

H. F. No. 49, a bill prescribing the qualifications of electors and office holders.

Ordered printed and made special order for Saturday, the 20th inst.

H. F. No. 35, a bill to encourage the sinking of artesian wells in the more arid counties of the Territory of Utah.

Bill ordered printed and filed for second reading.

H. F. No. 50, a bill providing for a Territorial Board of Equalization.

Read second time.

Bill ordered printed and made special order for Thursday, the 25th inst.

H. F. No. 51, a bill amending Section 2 of Chapter XXXI., Session Laws of 1880, entitled, "An Act to establish a Territorial Insane Asylum.

Read second time and placed on general file.

On motion of Mr. Creer, the motion which placed H. F. No. 51 on general file was reconsidered, and the bill was read the third time, under a suspension of the rules and passed.

Ayes—Anderson, Baty, Clark, Cannon, Hatch, Howell, King, Kimball, Rider, Stratford, Thurber, Thurman, Woolley, West, Young—15.

Noes—Creer, Farnsworth, Houston, Lund, McCullough, McLaughlin, Stuart, Smoot—8.

Title approved.

THIRD READING OF BILLS.

H. F. No. 15, a bill for an Act to amend the Charter of the city of Richfield, in Sevier County.

Read third time and passed.

Ayes—Anderson, Baty, Clark, Creer, Cannon, Farnsworth, Hatch, Houston, Howell, King, Kimball, Lund, McCullough, McLaughlin, Rider, Stratford, Smoot, Thurber, Thurman, Woolley, West, Young—22.

Noes—0.

Absent—Stuart—1.

Title amended.

On motion of Mr. Howell the House at 4:45 p. m. adjourned until to-morrow at 2 o'clock p. m.

Benediction by the Chaplain.

FORTIETH DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Friday, Feb. 19, 1886.

2 p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of Thursday read, amended and approved.

MESSAGE FROM THE COUNCIL.

Council Chamber,
Feb. 19, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council does not concur in House amendments to C. F. No. 8, a bill pertaining to highways, and now ask committee of conference in relation thereto.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

House acceded to the Council's request for a conference committee, and the Speaker appointed Messrs. Howell, West and Cannon to act in behalf of the House.

REPORTS OF STANDING COMMITTEES.

By the Committee on Enrollment.

Committee Room,
Feb. 19, 1886.

Mr. Speaker:

Your Committee on Enrollment, to whom was re-

ferred H. F. No. 33 (substitute), an Act to prohibit bulls from running at large during certain seasons of the year, and

H. F. No. 46, an Act amending an Act to incorporate Alpine City, Utah County approved January 19, 1855, report that the said Acts have been correctly enrolled and this day forwarded to the Governor of the Territory for approval.

Respectfully, etc.,
Jos. A. WEST,
Chairman.

By the Committee on Fish and Game:

Committee Room,
Feb. 19, 1886.

Mr. Speaker:

The Committee on Fish and Game, to whom was recommitted substitute for C. F. No. 10, a bill supplemental to Chapter VI., Session Laws of 1884, have had the same under consideration, and beg leave to report the bill back with the following amendments: That Section 3 of said bill be made Section 2, and that Section 3 read as follows:

Every person who, between the 1st day of December of each year and the 1st day of September following, takes, kills, or destroys any deer, or who shall kill any deer for their skins shall be guilty of a misdemeanor.

And that Section 2 of Chapter VI., Session Laws of 1884, is hereby repealed.

THURBER,
Chairman.

Report filed with bill.

Committee Room,
Feb. 19, 1886.

Mr. Speaker:

Your Committee on Fish and Game, to whom was referred the petition of J. S. Rawlins and 91 other citizens of Salt Lake County, asking the repeal of Section

10, Chapter VI., Laws of 1884, report that we have duly considered the same and find that the requirements of said petition are fully provided for in Section 4 of substitute bill for C. F. No. 10, a bill supplemental to Chapter VI., Session Laws of 1884.

A. D. THURBER,
Chairman.

Adopted.

By the Committee on Contingent Expenses of the House:

Committee Room,
Feb. 19, 1886.

Mr. Speaker:

Your Committee on Contingent Expenses of the House, to whom was referred the petition of Gibbs & Irvine, asking \$35 for services rendered in reporting, transcribing and reading proof sheets of proceedings in Joint Session of the Utah and Wyoming Legislatures, in 1884. Your committee have duly considered said petition, and recommend that \$35 be allowed and placed in the appropriation bill for said purpose.

ANDERSON,
Chairman.

Adopted.

By the Committee on Municipal Corporations and Towns:

Committee Room,
Feb. 19, 1886.

Mr. Speaker:

The Committee on Municipal Corporations and Towns, to whom was referred H. F. No. 18, amending charter of Park City, herewith return the same, and recommend that it be amended by striking out Section 4, and that said bill, as amended, be put on its passage.

THURMAN,
Chairman.

Report filed with bill.

By the Committee on Fish and Game:

Committee Room,
Feb. 19, 1886.

Mr. Speaker:

Your Committee to whom was referred the petition of George B. Bailey and 154 other citizens of Salt Lake County, asking the repeal of Section 4, Chapter XXXVI, page 69, Laws of 1880, report that we have duly considered the same, and find that the requirements of the above-named petition are provided for in Section 12, Chapter VI., Laws of 1884.

A. D. THURBER,
Chairman.

Adopted.

By the Committee on Counties:

Committee Room,
Feb. 18, 1886.

Mr. Speaker:

Your Committee to whom was referred the petition of W. A. Pierce and fifty-eight other citizens of Moab, in Emery County, asking that a part of Emery County be detached, and the same be attached to San Juan County, beg leave to report that we have duly considered the same, and recommend that all that portion of Emery County lying east of Grande River be detached from Emery County, and the same be attached to San Juan County, and herewith submit a bill for that purpose.

HATCH,
Chairman.

Adopted, and the bill read first time and placed on general file.

MOTIONS AND RESOLUTIONS.

Mr. Young moved that when this House adjourn it be until to-morrow at 10 a. m.

Carried.

SECOND READING OF BILLS.

H. F. No. 35, a bill to encourage the sinking of artesian wells in the more arid counties of the Territory of Utah.

Amended, read second time, and placed on general file.

H. F. No. 18, a bill amending an act incorporating Park City, in Summit County, Utah Territory.

Read second time, and the amendment recommended by the committee adopted.

Read the third time, under a suspension of the rules, and passed.

Ayes—Anderson, Baty, Clark, Creer, Cannon, Farnsworth, Houston, Howell, King, Kimball, Lund, McCullough, McLaughlin, Rider, Stratford, Stuart, Smoot, Thurber, Thurman, Woolley, West, Young—22.

Noes—Hatch—1.

Title approved.

H. F. No. 16, a bill to lessen the terms of sentence of convicts for good conduct.

Amended, read second time, and placed on general file.

Substitute for C. F. No. 10, a bill supplemental to Section 6, Session Laws of 1884, entitled "An Act for the protection of fish and game."

Amended, read second time, and placed on general file.

H. F. No. 6, to amend Title IV., Chapter I., Section 1058, enforcement of liens.

Recommitted to the Committee on Judiciary.

H. F. No. 52, a bill detaching Moab precinct from Emery County, and attaching the same to San Juan County.

Read second time and filed.

H. F. No. 41, amending Section 20, Chapter XIX., Laws of 1880.

Read second time, and placed on general file.

MESSAGE FROM THE COUNCIL.

Council Chamber,
Feb. 19, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day taken action as follows:

C. F. No. 32, a bill to prevent the befouling of waters; House amendments thereto concurred in.

H. F. No. 47, for the selection and payment of jurors, passed with one amendment, and herewith returned.

H. C. R. No. 20, limiting the time for the introduction of bills, not concurred in, and herewith returned.

H. F. No. 51, amending Section 2, Chapter XXXI, Session Laws of 1880, passed without amendment, and herewith returned.

H. C. R. No. 21, for printing copies of Territorial Superintendent of District Schools and Chancellor University of Deseret reports, etc., concurred in, with one amendment, and herewith returned.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

Amendments offered to H. F. No. 47 concurred in.

On motion of Mr. Cannon, the House insisted on the adoption of H. C. R. No. 21, providing for the publication of 5,000 copies of the biennial reports of the Territorial Superintendent of District Schools, and the Chancellor of the University of Deseret.

THIRD READING OF BILLS.

H. F. No. 48, a bill amending an act entitled "An Act to incorporate Pleasant Grove City.

Read third time and passed.

Ayes—Anderson, Baty, Clark, Creer, Cannon, Farnsworth, Houston, Howell, King, Kimball, Lund, McCullough, McLaughlin, Rider, Stratford, Stuart, Smoot, Thurber, Thurman, Wooley, West, Young—22.

Noes—Hatch—1.

Title approved.

Substitute for C. F. No. 34, a bill amending Chapter XLVI., Laws of 1884.

Ayes—Anderson, Baty, Clark, Creer, Cannon, Farnsworth, Hatch, Houston, Kimball, Lund, McCullough, McLaughlin, Rider, Stratford, Stuart, Thurman, Woolley, West, Young—19.

Noes—Smoot, Thurber—2.

Not voting—King—1.

Absent—Howell—1.

Title approved.

On motion of Mr. Hatch, the House, at 4:20 p. m., adjourned until to-morrow, at 10 o'clock a. m.

Benediction by the Chaplain.

FORTY-FIRST DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Saturday, Feb. 20, 1886.

10-a. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of Friday read, amended and approved.

On motion, Messrs. Anderson, Baty, Howell, Lund, Smoot and Thurman were excused from attendance at to-day's session.

REPORTS OF STANDING COMMITTEES.

By the Committee on Ways and Means:

Committee Room,
Feb. 20, 1886.

Mr. Speaker:

The Committee on Ways and Means, to whom was

referred C. F. 29, a bill to provide revenue for the Territory of Utah, and the several counties thereof, have had the same under consideration, and report the same back with the recommendation that the bill be amended as follows:

Sec. 17. After the word "court" in the fourteenth line, by adding the following: Provided that horses, cattle, sheep, or any other personal property remaining in any county thirty days shall be taxed in such county, and all transient herds passing through and grazing in the Territory shall be subject to taxation in any county through which said herds pass.

Sec. 21 By striking out the words "one per cent per month" in lines nine and ten, and adding in lieu thereof the following: Ten per cent. per annum, and recommend that the bill, as amended, be put upon its passage.

STRATFORD,
Chairman.

Report filed with bill.

Committee Room,
Feb. 20, 1886.

Mr. Speaker:

The Committee on Ways and Means, to whom was referred House petition 21, from the County Court of Box Elder County, returns the same after due consideration, and report that we have recommended an amendment to the revenue bill, which will in our opinion, if adopted, answer the prayer of the petitioners.

STRATFORD,
Chairman.

By the Committee on Judiciary:

Committee Room,
Feb. 19, 1886.

Mr. Speaker:

Your Committee on Judiciary to whom was referred H. F. 36, and C. F. 17, amending an Act revising the

proceeding in Justices' Courts, and providing for appeals to District Courts, approved March 13, 1884, having had the same under consideration, beg leave to report them back in the form of a substitute bill, and ask that said substitute be put upon its passage.

HATCH,
Chairman.

Substitute bill placed on general file.

By the Committee on Enrollment:

Committee Room,
Feb. 20, 1886.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred for enrollment H. F. No. 47, an Act for the selection and payment of jurors, and H. F. No. 51, an Act amending Section 2 of Chapter XXXI., Session Laws of 1880, entitled, "An Act to establish a Territorial insane asylum, beg leave to report that they have been correctly enrolled, and this day sent to His Excellency the Governor for executive approval.

Respectfully,
JOS. A. WEST,
Chairman.

SPECIAL ORDER.

H. F. No. 49, a bill prescribing the qualifications of electors and office-holders.

Read second time, and placed on general file.

MOTIONS AND RESOLUTIONS.

Mr. King moved that when this House adjourn it be until Tuesday, the 23d inst., at 2 p. m.

Carried.

SECOND READING OF BILLS.

C. F. No. 29, a bill to provide revenue for the Territory of Utah and the several counties thereof.

Pending second reading, the bill was made a special order for Wednesday, the 25th inst.

Substitute for C. F. No. 17 and H. F. No. 36, amending an Act revising the proceedings in Justices' Courts.
Read second time, and placed on general file.

THIRD READING OF BILLS.

Substitute for C. F. No. 3 and H. F. No. 32, amending an Act incorporating the city of Smithfield, in Cache County.

Read third time, and, pending consideration, the further discussion of the bill was postponed until Tuesday, the 23d inst.

MESSAGE FROM THE COUNCIL.

Council Chamber,
Feb. 20, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day appointed Councilors Page, Barton and Shurtliff as conferees on the part of the Council in reference to C. F. No. 8, highways.

The Council insists on its amendments to H. C. R. No. 21, providing for printing of reports of Territorial Superintendent District Schools and Chancellor and Board of Regents of University.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

On motion, the House insisted on the adoption of its resolution providing for the publication of 5,000 copies of the reports of the Territorial Superintendent of District Schools, and the Chancellor and Board of Regents of the University of Deseret, and the Speaker appointed Messrs. King, Cannon and Farnsworth to act as a Conference Committee in behalf of the House.

On motion of Mr. Woolley, the House, at 11:45 a. m. adjourned until Tuesday at 2 o'clock p. m.

Benediction by the Chaplain.

FORTY-FOURTH DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Tuesday, Feb. 23, 1886.

2 p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of Saturday read and approved.

On motion, Messrs. Stratford and Hatch were excused from attendance at to-day's session.

PRESENTATION OF PETITIONS.

By the Speaker—A petition from J. R. Walker, and 69 other citizens of Salt Lake, asking that the Legislature appropriate \$5,000 to provide for an exhibit of Utah's products at the forthcoming London Exposition, and also the sum of \$1,000 to defray the expenses incurred in making a Utah exhibit at the N. C. and S. A. Exposition at New Orleans.

Referred to the Committee on Manufactures and Commerce.

By Mr. Kimball—A petition from citizens of Rich County, asking for certain changes in county boundary lines.

Referred to the Committee on Counties.

REPORTS OF STANDING COMMITTEES.

By the Committee on Highways:

Committee Room,
Feb. 23, 1886.

Mr. Speaker:

Your Committee on Highways, to whom was referred petition No. 42 of citizens of Emery County, asking an appropriation of \$6,000 for the purpose of build

ing bridges in said county, have investigated the same, and recommend that \$3,500 be appropriated for the construction of bridges in Castle Valley, to be expended under the direction of the County Court of Emery County.

Also, in reference to petition No. 46, of citizens of Rich County, asking an appropriation of \$1,000 to be expended on bridges and roads in said county, we respectfully recommend that \$750 be appropriated for that same purpose, to be expended under the direction of the County Court of Rich County.

HOWELL,
Chairman.

Adopted.

By the Committee on Fish and Game.

Committee Room,
Feb. 23, 1886.

Mr. Speaker:

The Committee on Fish and Game, to whom was referred H. F. No. 28, a bill to amend Section 2, Chapter VI., Session Laws of 1884, relating to fish and game, report that we have duly considered the same, and find that the requirements of the aforesaid bill is fully provided for in substitute for C. F. No. 10, a bill supplemental to Chapter VI., Session Laws of 1884.

THURBER,
Chairman.

Adopted.

SPECIAL ORDER.

C. F. No. 14, a bill apportioning the legislative representation of the Territory of Utah.

Read second time.

Read third time, under a suspension of the rules, and lost.

Ayes—Baty, Clark, Houston, Lund, Rider, Stuart, Howell, Thurber, Woolley, West—10.

Noes—Thurman, Smoot, Creer, Cannon, Farnsworth,
King, Kimball, McCullough, McLaughlin, Young—10.
Absent—Anderson, Stratford, Hatch—3.

MOTIONS AND RESOLUTIONS.

Mr. Cannon moved that it be the sense of this House that when a bill is referred to a Committee, that it be the duty of said Committee to report either, favorably or unfavorably thereon.

Carried.

MESSAGE FROM THE COUNCIL.

Council Chamber,
Feb. 23, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed H.F. No. 39, a bill to amend an Act in relation to mortgages of personal property, and same is now forwarded for your action thereon.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Council Chamber,
Feb. 23, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council does not concur in the adoption of House substitute for C. F. No. 34, amending Chapter XLVI., Laws of Utah, 1884, "Fire Insurance Companies," and asks committee of conference.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

On motion of Mr. Creer, the House insisted on the adoption of its substitute, and the Speaker appointed

Messrs. Creer, West and Farnsworth a Committee on Conference.

Council Chamber,
Feb. 20, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed:

H. F. No. 15, Richfield City Charter, with amendments, which is now returned for your action on said amendments, and C. F. No. 37, amending Section 1, Chapter I., Chapter XLV., Laws of 1884, herewith submitted for your action.

The Council has appointed Councilors Hammond, Slack and Shurtliff as conferees on the part of the Council in reference to H. C. R. No 21, relative to printing school reports.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

C. F. No. 37 read, and referred to the Committee on Private Corporations.

Amendments to H. F. No. 15 concurred in.

Council Chamber,
Feb. 23, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed substitute for H. F. No. 18, amending Park City Charter, and the substitute with House original are now forwarded for your action.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Amendments to H. F. No. 18 concurred in.

Council Chamber,
Feb. 23, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed:

H. F. No. 48, amending Pleasant Grove City Charter, with amendments, and same is now forwarded for your action on said amendments, and has appointed Councilors Francis, Hammond and Sharp as conferees on the part of the Council in reference to House substitute for C. F. No. 34, amending Chapter XLVI., Laws of 1884, insurance companies.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Council amendments concurred in, and bill sent to Committee on Enrollment.

THIRD READING OF BILLS.

H. F. No. 16, a bill to lessen the terms of sentence of convicts for good conduct.

Amended, read third time and passed.

Ayes—Baty, Clark, Creer, Cannon, Farnsworth, Houston, Howell, King, Kimball, Lund, McCullough, McLaughlin, Rider, Stuart, Smoot, Thurber, Thurman, Woolley, West, Young—20.

Noes—0.

Absent—Anderson, Hatch, Stratford—3.

Title approved.

Substitute for C. F. No. 10, a bill supplemental to Section 6, Session Laws of 1884.

Read third time, amended and passed.

Ayes—Anderson, Baty, Clark, Cannon, Farnsworth, Houston, King, Kimball, Lund, McCullough, McLaughlin, Rider, Smoot, Thurber, Thurman, Woolley, West, Young—18.

Noes—Creer, Howell, Stuart—3.

Absent—Hatch, Stratford—2.

Title approved.

H. F. No. 52, a bill detaching Moab from Emery County, and attaching the same to San Juan.

Read third time, and recommitted to the Committee on Counties.

H. F. No. 41, a bill amending Section 20, Chapter XIX. of the Laws of Utah, 1880.

Read third time, amended and passed.

Ayes—Anderson, Baty, Clark, Creer, Cannon, Farnsworth, Houston, Howell, King, Kimball, Lund, McCullough, McLaughlin, Rider, Stuart, Smoot, Thurber, Thurman, Woolley, Young—20.

Noes—0.

Absent—West, Hatch, Stratford—3.

H. F. No. 49, a bill prescribing the qualifications of electors and office-holders.

Pending consideration, on motion of Mr. Thurman, the House, at 4:15 p. m., adjourned until to-morrow, at 2 o'clock p. m.

Benediction by the Chaplain.

FORTY-FIFTH DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Wednesday, Feb. 24, 1886.

2 p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll call—quorum present.

Prayer by the Chaplain.

Journal of Tuesday read and approved.

UNFINISHED BUSINESS.

H. F. No. 49, a bill prescribing the qualifications of electors and office holders.

Read third time, amended and passed.

Ayes—Anderson, Baty, Clark, Creer, Cannon, Farnsworth, Houston, Howell, King, Kimball, Lund, McCu

lough, Rider, Stuart, Smoot, Thurber, Thurman, Woolley, Young, Stratford, West—21.

Noes—McLaughlin—1.

Absent—Hatch—1.

Title approved.

COMMUNICATIONS FROM THE TERRITORIAL AUDITOR OF PUBLIC ACCOUNTS.

Office of Auditor of Public Accounts,
Salt Lake City, Feb. 26, 1886.

The Honorable the Legislative Assembly:

GENTLEMEN :—The lease of the Territorial offices will expire the first of next month. Some action will be necessary on the part of your honorable body to secure apartments for said offices for the future.

Respectfully,

N. W. CLAYTON,
Auditor, etc.

Referred to the Committee on Ways and Means.

MESSAGE FROM THE COUNCIL.

Council Chamber,
Feb. 24, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day adopted report of Conference Committee relative to H. C. R. No. 21, providing for the printing of the reports of the Superintendent of District Schools and Chancellor of the University, etc., amending the resolution to read 1500 copies. The resolution is herewith returned.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

REPORTS OF CONFERENCE COMMITTEES.

Committee Room,
Feb. 24, 1886.

Mr. Speaker:

Your Committee on Conference, to whom was re-

ferred H. C. Resolution No. 21, providing for the printing of the report of the Territorial Superintendent of District Schools and Chancellor and Regents of the University of Deseret, having considered the same, report that we have agreed upon the printing of 1,500 copies of said report and recommend that said resolution be amended accordingly.

W. H. KING,
Chairman.

Adopted.

On motion of Mr. King, the resolution was amended so as to conform to the report of the committee.

Committee Room,
Feb. 24, 1886.

Mr. Speaker:

Your Committee on Conference, appointed on substitute for C. F. No. 34, beg to report that we have met with a committee from the Council and have unanimously agreed to all the amendments offered by said substitute bill, and to a further amendment in line nine of Section 1 of said Chapter XLVI., by striking out the word "one" in said line nine of Section 1, and substituting the word "two" in lieu thereof.

CREER,
Chairman.

Adopted.

On motion of Mr. Thurman, the rules were suspended, and the House took up the special order, C. F. No. 29, a bill to provide revenue for the Territory of Utah and the several counties thereof.

Pending second reading, the bill was recommitted to the Committee on Ways and Means, with instructions to report on proposed amendments at to-morrow's session.

MESSAGES FROM THE COUNCIL.

Council Chamber,
Feb. 24, 1886.

Mr. Speaker:

I am directed to inform your honorable body that

the Council has this day adopted the report of Conference Committee in reference to C. F. No. 34, relating to fire insurance companies, and House substitute therefor, with all House amendments made thereto, concurred in. Same has been reported for enrollment.

Respectfully,

HEBER M. WELLS,

Chief Clerk.

Council Chamber,

Feb. 24, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed substitute for C. F. 24, incorporating Nephi City, in Juab County, and the same is now forwarded for your action thereon.

Respectfully,

HEBER M. WELLS,

Chief Clerk.

Substitute read and referred to the Committee on Municipal Corporations and Towns.

REPORT OF COMMITTEE ON ENROLLMENT.

Committee Room

Feb. 24, 1886.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred for enrollment H. F. No. 15, an Act amending an Act incorporating the city of Richfield, Sevier County; H. F. No. 18, an Act amending an Act incorporating Park City, Summit County; also, H. F. No. 39, an Act amending an Act in relation to mortgages of personal property, have been correctly enrolled, and this day forwarded to the Governor for his action thereon.

Respectfully,

JOS. A. WEST,

Chairman.

On motion of Mr. Stratford, the House at 5 p. m.,
adjourned until to-morrow at 10 o'clock a. m.
Benediction by the Chaplain.

FORTY-SIXTH DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Thursday, Feb. 25, 1886.

10 a. m.

House met pursuant to adjournment.
Speaker in the chair.
Roll called—quorum present.
Prayer by the Chaplain.
Journal of Wednesday read and approved.

UNFINISHED BUSINESS.—THIRD READING OF BILLS.

Substitute for C. F. No. 3 and H. F. No. 32, a bill
amending an Act incorporating Smithfield, in Cache Co.
Bill with a remonstrance from the citizens of Smith-
field recommended to the Committee on Municipal Cor-
porations and Towns.

H. F. No. 35, a bill to encourage the sinking of
artesian wells in the more arid counties in the Territory
of Utah.

Amended, read third time and lost.

Ayes—Anderson, Baty, King, Kimball, Lund, McCul-
lough, Rider, Stuart, Thurber—9.

Noes—Clark, Creer, Farnsworth, Hatch, Houston,
Howell, McLaughlin, Stratford, Smoot, Thurman, Wool-
ley, West, Young—13.

Absent—Cannon—1.

Substitute for H. F. No. 36, and C. F. No. 17, amend-
ing an Act revising proceedings in Justices' Courts, and
providing for appeals to District Courts in criminal
cases.

Read third time and lost.

Ayes—Clark, Creer, Hatch, Howell, Kimball, Lund,
Rider, Stratford, Stuart, West, Young—11.

Noes—Anderson, Baty, Farnsworth, Houston, King, McCullough, McLaughlin, Smoot, Thurber, Thurman, Woolley—11.

Absent—Cannon—1.

PRESENTATION OF PETITIONS.

By Mr. Lund—A petition from citizens of Fairview, Sanpete County, asking that their charter be amended.

Referred to the Committee on Municipal Corporations and Towns.

REPORTS OF STANDING COMMITTEES.

By the Committee on Municipal Corporations and Towns:

Committee Room,
Feb. 24, 1886.

Mr. Speaker:

The Committee on Municipal Corporations and Towns, to whom was referred H. F. No. 8, a bill amending an Act to incorporate American Fork City, herewith return the same with substitute therefor and recommend that the substitute bill be put upon its passage.

THURMAN,
Chairman.

By the Committee on Claims and Public Accounts:

Committee Room,
Feb. 25, 1886.

Mr. Speaker:

The Committee on Claims and Public Accounts, to whom was referred petition of certain citizens of Salt Lake City, for an appropriation to aid the orphans' home in said city, respectfully report that we have considered the same, and believing that the institution is bona fide, humane and benevolent, and will prove a blessing to the community, we recommend that the sum of \$1,000 be appropriated for the benefit of said institution to be drawn and expended under the direction of

the board of directors or trustees after said institution shall have been duly incorporated, for the purposes set forth in said petition.

THURMAN,
Chairman.

Adopted.

By the Committee on Highways :

Committee Room,
Feb. 24, 1886.

Mr. Speaker:

Your Committee on Highways, to whom was referred petition Nos. 33, 38 and 43 of citizens of Summit and Wasatch Counties asking an appropriation of \$3,000 to construct a road along the Provo River from Hailstone's Ranch to Jones' store, both initial and terminal points being in Wasatch County, having considered the same, respectfully recommend that \$1,500 be appropriated for that purpose, \$750 of which to be drawn by and expended under the direction of the County Court of Wasatch County; and \$750 to be drawn and expended under the direction of the County Court of Summit County. Provided that Summit and Wasatch Counties expend the sum of \$250 each on said road in addition to the amount herein appropriated.

HOWELL,
Chairman.

Adopted.

Committee Room,
Feb. 24, 1886.

Mr. Speaker:

Your Committee on Highways, to whom was referred petition No. 23, of the County Court of Box Elder County, asking an appropriation of \$5,000 to repair and improve the public highways into Cache County from the south and to open and improve roads on the western part of said county, have carefully investigated the same and recommend: first, that \$1,000 be appropriated to be drawn and expended under the direction of

the County Court of Box Elder County, to improve and repair the main highway in Cache County from Brigham City to the Summit between Cache and Box Elder Counties; second, that \$1,250 be appropriated, to be drawn and expended under the County Court of Box Elder County, to open and improve roads in the western part of said county, provided, that Box Elder County expend \$1,000 in said western roads, in addition to the amount herein appropriated; third, that \$1,250 be appropriated, to be drawn and expended under the direction of the County Court of Cache County, as follows: \$750 to be expended in Sardine Canyon route and \$500 to be expended between the mouth of Wellsville Canyon and the boundary between Cache and Box Elder.

HOWELL,
Chairman.

Adopted.

Committee Room,
Feb. 24, 1886.

Mr. Speaker:

Your Committee on Highways, to whom was referred petition No. 5, from residents of Piute County, asking an appropriation of \$3,600 to construct a wagon road via Fremont, Kane, Blue and Graves valleys in Piute County to Bluff City in San Juan County, have carefully investigated the question and recommend: first, that \$1,000 be appropriated for the construction of said road from Fremont Valley in Piute County to the Colorado River, to be drawn and expended under the direction of the County Court of Piute County; second, that \$1,000 be appropriated for the construction of said road from Colorado River to Bluff City in San Juan County, to be drawn and expended under the direction of the County Court of San Juan County; third, that \$2,000 be appropriated for the construction of a wagon road from Bluff City to Thompson's Springs, on the D. & R. G. R. R., in Emery County, to be drawn and expended under the direction of the County Court of San Juan County.

HOWELL,
Chairman.

Adopted.

By the Committee on Private Corporations:

Committee Room,
Feb. 25, 1886.

Mr. Speaker:

Your Committee on Private Corporations, to whom was referred C. F. No. 37, having considered the same, report that we recommend said bill be put upon its passage.

CREER,
Chairman.

Adopted.

By the Committee on Manufactures and Commerce:

Committee Room,
Feb. 23, 1886.

Mr. Speaker:

Your Committee on Manufactures and Commerce, to whom was referred petitions Nos. 49, 48, 44, 37 and 31, relating to the prohibiting and regulating the sale of intoxicating drinks, report a bill amending Section 2 of Chapter XXVIII., of Session Laws of 1882, and recommend that the bill be put on its passage.

Respectfully,

STUART,
Chairman.

Bill read first time, and placed on general file.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Rider—H. F. No. 54, a bill requiring County Clerks to report their expenditure of appropriations for roads and bridges.

Read first time by its title, and referred to the Committee on Highways.

By Mr. King—H. F. No. 55, a bill providing for impounding animals, and prescribing the regulation of pounds and for the disposing of estrays.

Read first time by its title, and referred to the Committee on Judiciary.

By Mr. West—H. F. No. 56, a bill constituting eight hours a day's work for all laborers, mechanics and workmen in the Territory of Utah.

Read first time and referred to the Committee on Manufactures and Commerce.

By Mr. West—H.F. No. 57, a bill apportioning the legislative representation of the Territory of Utah.

Referred to the Committee on Elections.

On motion of Mr. West, the House took a recess until 2. p. m.

2 p. m.

REPORT OF CONFERENCE COMMITTEE.

Committee Room,
Feb. 25, 1886.

Mr. Speaker:

Your Committee of Conference, appointed on C. F. No. 8, a bill pertaining to Highways, have conferred with the Council Committee, and respectfully report that after due consideration of the subject, it was unanimously agreed by the Committee to recommend that the House recede from the amendments to said bill to which the Council object:

HOWELL,
Chairman.

Adopted.

SPECIAL ORDER.

H. F. 50, a bill providing for a Territorial Board of Equalization.

Amended, read third time, and passed.

Ayes—Anderson, Baty, Clark, Creer, Young, Howell, King, Rider, Smoot, Wooley, Stratford, West—12.

Noes—Thurman, Hatch, Houston, Kimball, Lund,

McCullough, Stuart, Thurber, Farnsworth, McLaughlin
—10.

Absent—Cannon—1.

The Speaker cast his vote in favor of the ayes.

REPORT OF ENROLLMENT COMMITTEE.

Committee Room,
Feb. 25, 1886.

Mr. Speaker:

Your Committee on Enrollment to whom was referred for enrollment H. F. No. 48, an Act amending an Act entitled, "An Act to incorporate Pleasant Grove City, has been correctly enrolled, and this day forwarded to the Governor for his action thereon.

Respectfully,
Jos. A. West,
Chairman.

MESSAGE FROM THE COUNCIL.

Council Chamber,
Feb. 25, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council does not concur in House amendments to C. F. No. 10, supplemental to an Act for the protection of fish and game, and asks Committee of Conference in reference thereto.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

House acceded to Council request, and the Speaker appointed Messrs. Thurber, Houston and McCullough a Committee on Conference.

COMMUNICATION FROM HIS EXCELLENCY GOVERNOR
ELI H. MURRAY.

Territory of Utah,
Executive Office,
Salt Lake City, Feb. 24, 1886. }

Hon. W. W. Riter, Speaker House Representatives:

SIR:—Graver reasons of objection exist to the bill now in my hands than to the former bill returned to your honorable body with my objections.

Congress has undertaken to legislate upon the subject, and the plan provided by the act of Congress, approved June 23, 1874, for the formation of juries, however faulty it has been shown to be, must prevail. Any Territorial legislation should be in aid of the purpose of Congress to bring into the jury room competent jurors, and should not extend an expensive system, which has been shown to bring into the jury room incompetent jurors. The law of 1874 is faulty in this, that the one-half of the number of names for both the grand and petit juries are selected by the Probate Judges of the counties in which the respective District Courts are held, and the further fact that the Probate Judges invariably select the names of those who, as a rule, are incompetent jurors, and are in sympathy with defendants charged with offenses against laws of the United States. This plan was invented and urged upon Congress by persons who were engaged in the defense of the system of polygamy, and by this means desired to delay the execution of all laws tending to attack that unlawful system.

From 1874 to 1884, the courts were hampered and prosecutions defeated by the methods adopted under this plan. Good juries are now obtained under the old common law practice which generally prevails throughout the United States where the method prescribed for any reason fails, and which in its application in Utah has lately been sustained by the Supreme Court of the United States, and the laws at last are being faithfully executed in the face of a determined opposition.

The great burthen of the work for jurors at present,

and that for which their services in great part in the future will be required, is the hearing of cases under the laws of the United States.

The bill has been conformed in part to the objections presented by the Executive to the former bill on this subject, in excepting trials for bigamy, polygamy and unlawful cohabitation. It fails, however, to except trials for perjury, attempts at bribery, assaults upon officers, and conspiracies against citizens, jurymen and officials, growing out of prosecutions of the offenses of bigamy, polygamy and unlawful cohabitation.

This bill, if it be a rightful subject of legislation, would inaugurate a system of legerdemain not easy to be understood in its application. Citizens would be summoned who are competent to serve in United States cases and Territorial cases, and others who would not be competent to serve in cases arising under laws of the United States, and who, under this law, might be competent to serve in Territorial cases. In practical operation, it would at times leave the courts with one set of jurymen from the "original box" under the law of Congress, another set from the open venire system, and still another set under this bill from the "supplemental box." Confusion would unavoidably follow, and largely increase the cost of the courts. I fail to comprehend any reason why citizens, called to service under the laws of the United States, are not good enough to try all cases arising in a Territory which is a part of the United States. If for any reason persons are incompetent, as a rule, to try United States cases, certainly they are, and of right ought to be, incompetent to try Territorial cases, many of which in this Territory are closely allied to cases growing out of offenses against the United States.

This bill, if otherwise practical, would largely increase the already great cost of expenses in per diem and mileage for persons who will not be employed. A reasonable economy would be fatal to this measure, as no corresponding good for the protection of society in any of its parts can possibly follow. With the unalterable conviction that he has no moral or legal right to join with the Legislature in any measure which fails to

supplement and aid in the execution of all laws against all classes of offenders, the Executive respectfully returns to your House, in which it originated, H. F. No. 47, without his approval.

ELI H. MURRAY,
Governor.

Ordered spread upon the minutes, and transferred to the Council for its information.

MESSAGES FROM THE COUNCIL.

Council Chamber,
Feb. 25, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has the day passed substitute for H. F. 20, to encourage the growth of timber, with amendments, and the same is now forwarded for your action on said amendment.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Council amendments concurred in, and bill referred to the Committee on Enrollment.

Council Chamber,
Feb. 25, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day adopted report of Conference Committee in reference to H. F. No. 8, highways, and has concurred in the House amendments thereto. Said bill has been reported for enrollment.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Council Chamber,
Feb. 25, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed without amendment H. F. 16, to lessen the terms of sentence of convicts for good conduct, and H. F. 41, to amend Section 20, Chapter XIX., Laws of 1880; same are now returned.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

SECOND READING OF BILLS.

C. F. 37, a bill amending Section 1, Chapter I., Chapter XLV., Laws of 1884.

Read second time.

Read third time, under a suspension of the rules, and passed.

Ayes—Anderson, Baty, Clark, Creer, Farnsworth, Houston, Howell, Hatch, Kimball, Lund, McCullough, Rider, Stuart, Smoot, Thurber, Thurman, Woolley, Young, Stratford, West—20.

Noes—0.

Absent—King, Cannon, McLaughlin—3.

Substitute for H. F. No. 8, a bill amending an Act entitled, An Act incorporating American Fork City, in Utah County.

Bill ordered printed, and placed on general file.

H. F. 53, a bill amending an Act licensing and regulating the manufacture and sale of intoxicating liquors.

Read second time and amended.

Read third time, under a suspension of the rules, and passed.

Ayes—Anderson, Baty, Clark, Creer, Farnsworth, Houston, Howell, Kimball, Lund, McCullough, Rider, Stuart, Smoot, Thurber, Thurman, Woolley, Young, Stratford, Hatch—19.

Noes—0.

Absent—Cannon, King, West, McLaughlin—4.

Title amended.

On motion of Mr. Smoot, the House, at 4:50 p. m.,
adjourned until to-morrow, at 2 o'clock p. m.
Benediction by the Chaplain.

FORTY-SEVENTH DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Friday, Feb. 26, 1886.

2 p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of Thursday read, amended and approved.

Mr. Thurman was granted a leave of absence from to-day's session on account of urgent committee work.

Mr. Creer moved that it be the sense of this House that Rule 26 be construed to mean that the House has a right to reconsider a vote by which a bill is rejected, providing that 13 members vote for such reconsideration.

Carried.

PRESENTATION OF PETITIONS.

By Mr. Rider—A petition from the County Court of Kane County, asking that certain matters affecting the county debt be adjusted.

Referred to the Committee on Ways and Means.

MESSAGE FROM THE COUNCIL.

Council Chamber,
Feb. 26, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day appointed as conferees on the

part of the Council in reference to C. F. No. No. 10, fish and game, Councilors Sharp, Grover and Taylor, and has rejected H. F. 22, to amend Chapter III. of an Act compiling and amending the laws relative to private corporations, which is returned herewith.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

REPORTS OF STANDING COMMITTEES.

Feb. 26, 1886.

Mr. Speaker:

Your Committee on Counties, to whom was re-committed H. F. 52, "An Act adding a portion of Emery County to San Juan County," having had the same under advisement, beg leave to bring in a substitute bill and ask that it be accepted in lieu of original, and that it be put upon its passage.

HATCH.
Chairman.

Substitute read, and report of the Committee adopted.

By the Committee on Manufactures and Commerce:

Committee Room,
Feb. 26, 1886.

Mr. Speaker:

Your Committee on Manufactures and Commerce, to whom was referred petition No. 56, asking for the appropriation of \$6,000 to pay the expenses of the Utah exhibit at the American Exposition to be held in London, England, on the first day of May, A. D. 1887; also, to defray the expenses of the Utah Commissioner to the New Orleans Exposition; the Committee recommend that the prayer of the petitioners be granted, and that the amount be appropriated.

STUART,
Chairman.

Adopted.

By the Committee on Agriculture and Irrigation:

Committee Room,
Feb. 26, 1886.

Mr. Speaker:

Your Committee on Agriculture and Irrigation, to whom was referred H. F. No. 36, signed by Rupert Brown and others, asking additional legislation for the protection of the farmers of Salt Lake Valley, from the depredations of cattle running at large, having carefully considered the same, beg leave to report it back unfavorably, for the reason that in our judgment, the laws already upon the statute book are adequate for the protection of agriculturists, and that the suggestions embodied in said petition would prove injurious and impracticable.

KING,
Chairman.

Adopted.

By the Committee on Highways:

Committee Room,
Feb. 26, 1886.

Mr. Speaker:

Your Committee on Highways, to whom was referred the communication of Hon. James W. Buckley, of the Colorado State Legislature, suggesting the propriety of an appropriation to construct a bridge across Green River, on the D. & R. G. R. R., in Emery County, beg leave to report that we do not advise a further expenditure of Public money in Emery County at this session.

Also, in reference to petition No. 35, heretofore returned, your committee recommend, on a reconsideration, that the sum of \$200 be appropriated, to be drawn by and expended under the direction of the County Court of Garfield County, for the construction of a wagon road from Cannonville to Escalante in said county.

HOWELL,
Chairman.

Adopted.

By the Committee on Asylum for the Insane:

Committee Room,
Feb. 26, 1886.

Mr. Speaker:

Your Committee on Asylum for the Insane, to whom was referred H. F. No. 27, amending Sections 4 and 10, Chapter XXXI., Session Laws of 1880, providing for the election of a secretary, report as having had the same under consideration, and herewith return same back, and recommend its passage.

W. C. A. SMOOT, JR.,
Chairman.

Adopted.

By the Committee on Municipal Corporations and Towns:

Committee Room,
Feb. 26, 1886.

Mr. Speaker:

Your Committee on Municipal Corporations and Towns, to whom was referred substitute for Council File 3, and House File 32, having considered the same, beg to report that we return the bill, with amendments, and recommend that it be put upon its passage.

THURMAN,
Chairman.
PER BATY.

Adopted.

By the Committee on Ways and Means:

Committee Room,
Feb. 25, 1886.

Mr. Speaker:

Your Committee to whom was referred C. F. No. 29, a bill to provide revenue for the Territory of Utah and the several counties thereof, and the amendments thereto submitted by the member from Weber County,

Mr. West, having had the same under consideration, beg leave to report that, in our judgment, the intent of said amendments in the form herewith submitted, should be added to said C. F. No. 29 after Section 1 of said bill, and be numbered Sections 2, 3 and 4, and that the remaining sections be numbered consecutively thereafter; also that the following amendments be made to said bill to place the same in harmony with said amendments. That lines 3, 6, 9 and 10 of Section 8 of said printed bill be amended by inserting the words "school districts" after the word "city" wherever it occurs in said lines. That Section 10 of said act be amended by inserting the words "school district" after the word "city" in the 5th line. That Section 11 be amended by inserting in the tenth line, after the word "county," the following: "and for the payment to the school trustees of the county of all school taxes due from him to said trustees." That Section 17 of said bill be amended by striking out the word "June" in the first line, and substituting "the 15th day of May" in lieu thereof. That Section 18 of said bill be amended by inserting in line 8 after the word "equalization" the following: "for Territorial, county and school taxes," and by inserting after the word "county," in line 25, the following, "and to the trustees of the several districts of the county in which school taxes have been levied the amount of school tax assessed in their respective districts," and by inserting "or school district" after the word "Territory," in the 31st line of said section, and by inserting after the word "taxes," in the 41st line of said section, the following: "and — mills on the dollar for school taxes for — school district (inserting in this manner all the districts for which school tax is to be assessed and the per cent. of the tax levied by each)." That Section 20 of said Act be amended by inserting after the words "county court" in Council amendment of said section the following: "if the sale is made to enforce the payment of Territorial and county taxes or Territorial school taxes, and by the trustees of the school district to which such delinquent tax is due if the sale is made to enforce the payment of the school tax thereof," and by inserting in the 7th line of said section, after

the word "county," the following: "or school trustee." That Section 24 of said Act be amended by inserting after the word "court," in the first line of said section, the following: "or to the school trustees of the district to which the delinquent taxes are due," and by inserting, after the word "court," in the second line thereof, the words "or board of school trustees, as the case may be," and by inserting after the word "and," in the third line thereof, the following: "the county clerk." That Section 25 of said bill be amended by striking out the words "the treasurer's" in line four, and inserting "and school trustees respectively" after the word "treasurer," in line 3, and after the word "county," in the third line the following: "and district school." That Section 28 of said bill be amended by striking out the word "January," in lines 1 and 4, and inserting "December" in lieu thereof, and by inserting "school trustees" after the word "court" in line 2, and the words "and to the school trustees of the several school districts of his county by whom school taxes have been levied." That Section 32 of said bill be amended by inserting "Territorial school and district school taxes," after the word "county" in line 7 of said section, and by striking out the word "and" when it appears in said line.

STRATFORD,
Chairman.

Report filed with bill.

MOTIONS AND RESOLUTIONS.

Mr. Woolley moved that the vote by which substitute for H. F. 36 and C. F. 17, amending an Act revising proceedings in Justices' Courts, etc., was lost, be reconsidered, and the bill be printed.

Carried.

On motion of Mr. West, substitute for H. F. 36 and C. F. 17 was made a special order for Monday, the first prox.

Mr. Hatch moved that when this House adjourn, it be until to-morrow at 2:05 p. m.

Carried.

SECOND READING OF BILLS.

Substitute for H. F. No. 8, a bill amending an Act entitled An Act to incorporate American Fork City.

Read second time and amended.

Read third time by its title, under a suspension of the rules and passed.

Ayes—Anderson, Baty, Clark, Creer, Cannon, Farnsworth, Houston, Hatch, Howell, Kimball, King, Lund, McCullough, McLaughlin, Rider, Stuart, Smoot, Stratford, Thurber, Wooley, Young, West—22.

Noes—0.

Absent—Thurman—1.

Title approved.

MESSAGE FROM THE COUNCIL.

Council Chamber,
Feb. 26, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed:

C. F. No. 20, amending Sections 578 and 580, Compiled Laws of Utah, 1876, and

C. F. No. 38, amending Section 4 of Chapter XXX., of Laws of 1884.

Which are now forwarded for your action thereon.

Respectfully,

HEBER M. WELLS,

Chief Clerk.

C. F. No. 20 read by its title, and referred to the Committee on Education.

C. F. No. 38, read first time, and referred to the Committee on Education.

SECOND READING OF BILLS (CONTINUED).

H. F. 27, a bill amending Sections 4 and 10, Chapter XXXI., Laws of 1880, providing for the election of a Secretary of the Board of Directors of the Territorial Insane Asylum.

Read second time.

Read third time by its title, under a suspension of the rules, and passed.

Ayes—Anderson, Baty, Clark, Creer, Farnsworth, Houston, Hatch, Howell, Kimball, King, Lund, McCullough, McLaughlin, Rider, Stuart, Smoot, Stratford, Thurber, Woolley, Young, West—21.

Noes—0.

Absent—Thurman, Cannon—2.

Title amended.

On motion of Mr. King, the House, at 4:20 p. m. adjourned until to-morrow, at 2:05 o'clock p. m.

Benediction by the Chaplain.

FORTY-EIGHTH DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Saturday, Feb. 27, 1886.

2:05 p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll call—quorum present.

Prayer by the Chaplain.

Journal of Friday read, amended and approved.

REPORT OF COMMITTEE ON WAYS AND MEANS (BY PERMISSION).

Committee Room,
Feb. 27, 1886.

Mr. Speaker:

The Committee on Ways and Means, to whom was referred the communication of the Auditor of Public Accounts respecting the necessity of securing apartments for Territorial offices, report that they have had the subject under consideration, and recommend that the Auditor be authorized to renew the lease of the

rooms now occupied by him in his official capacity at the rate of \$50 per month for two years, with the privilege of four on the same terms, and that \$1,200 be appropriated out of the Territorial Treasury to pay for the rent of the offices for the two years ending March 1, 1888.

STRATFORD,
Chairman.

Adopted.

UNFINISHED BUSINESS—SECOND READING OF BILLS.

C. F. No. 29, a bill to provide revenue for the Territory of Utah and the several counties thereof.

Pending consideration, the bill was temporarily laid aside in order that the House may consider some urgent Council matters.

MESSAGES FROM THE COUNCIL.

Council Chamber,
Feb. 27, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed H. F. No. 27, amending Sections 4 and 10 of Chapter XXXI., Laws of 1880, "An Act to establish a Territorial insane asylum," with amendments, and the same is now forwarded for your action on said amendments.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Council amendments concurred in, and bill sent to the Committee on Enrollment.

Council Chamber,
Feb. 27, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed H. F. No. 49, prescribing

qualifications for electors and office-holders, providing for the registration of voters and regulating the manner of conducting elections, with amendments, and the same is now forwarded for your action on said amendments.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Council amendments concurred in, and bill sent to the Committee on Enrollment.

REPORT OF CONFERENCE COMMITTEE.

Committee Room,
Feb. 27, 1886.

Mr. Speaker:

The Committee on Conference appointed to consider the disagreeing vote of the Assembly on C. F. 10, the fish and game bill, beg leave to report that we have considered said disagreement, and the Committee have agreed to recommend that the House recede from its amendment in striking out the original Section 2 of said bill (and restoring the same), and also from its amendment inserting new Section 3, and that the Council agree to the other House amendments.

Respectfully submitted,

THURBER,
Chairman.

Adopted.

C. F. No. 29, a bill to provide revenue for the Territory of Utah and the several counties thereof.

Consideration resumed.

Pending consideration, the House, on motion of Mr. West, took a recess until 7 p. m.

7 p. m.

REPORT OF ENROLLMENT COMMITTEE.

Committee Room,
Feb. 26, 1886.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred for enrollment H. F. No. 16, an Act to lessen the terms of sentence of convicts for good conduct. H. F. No. 20, an Act to encourage the growth of timber, and H. F. No. 41, an Act amending Section 20, Chapter XIX. of the Laws of 1880, report that the same have been correctly enrolled and this day forwarded to the Governor for his action thereon.

Respectfully,
Jos. A. WEST,
Chairman.

COMMUNICATION FROM THE GOVERNOR.

Territory of Utah,
Executive Office,
Salt Lake City, Feb. 27, 1886. }

Hon. W. W. Riter, Speaker House Representatives:

SIR:—In accordance with request of citizens of Summit County, made with a view of having proposed changes presented for the consideration of the Legislative Assembly, I herewith return H. F. No. 18 without my approval.

Very respectfully,
ELI H. MURRAY,
Governor.

Ordered spread upon the minutes, and transmitted to the Council for its information.

MESSAGE FROM THE COUNCIL.

Council Chamber,
Feb. 27, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day adopted report of Committee on Conference relative to to substitute for C. F. No. 10, fish and game, and concurred in such House amendments as are recommended therein; said bill has been reported for enrollment.

Respectfully,

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HEBER M. WELLS,
Chief Clerk.

On motion of Mr. Hatch, H. F. No. 29, a bill to provide revenue for the Territory of Utah and the several counties thereof, was laid on the table.

REGULAR ORDER—PRESENTATION OF PETITIONS.

By the Speaker—A petition from citizens of Bluff City, San Juan County, asking an appropriation of \$8,000 for the construction of roads in various parts of the county.

Referred to the Committee on Highways.

REPORTS OF STANDING COMMITTEES.

By the Committee on Judiciary :

Committee Room,
Feb. 27, 1886.

Mr. Speaker:

Your Committee on Judiciary having had under advisement H. F. 5, H. F. 23, H. F. 37 and C. F. 12, C. F. 23 and C. F. 30, beg leave to bring in a substitute for all of the above named, and recommend it be read first time and printed.

HATCH.
Chairman.

Adopted.

By the Committee on Manufactures and Commerce :

Committee Room,
Feb. 27, 1886.

Mr. Speaker:

Your Committee on Manufactures and Commerce, to whom was referred H. F. No. 56, a bill constituting eight hours a day's work for all laborers and mechanics employed in the Territory of Utah, beg leave to state that we have examined the same, and recommend that it do not pass.

STUART,
Chairman.

Adopted.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Clark—H. F. 58, a bill authorizing and requiring the Commissioners to Locate University Lands to obtain certain information concerning the university lands of the Territory.

Read by its title and referred to the Committee on Education, together with an accompanying report.

THIRD READING OF BILLS.

Substitute for H. F. 52, a bill to change the boundaries of San Juan and Emery Counties.

Read third time and passed.

Ayes—Clark, Creer, Farnsworth, Houston, Kimball, King, Lund, McCullough, McLaughlin, Rider, Stuart, Thurber, Young, Hatch—14.

Noes—0.

Absent—Anderson, Baty, Howell, Smoot, Thurman, Woolley, Stratford, West, Cannon—9.

Title approved.

Substitute for C. F. 3 and H. F. 32, amending an Act incorporating the city of Smithfield, Cache County.

On motion of Mr. McLaughlin the bill was recommitted to the Committee on Municipal Corporations and Towns.

MISCELLANEOUS.

Reports from Sevier, Sanpete, Cache, Salt Lake, Juab, Box Elder, Summit and Morgan Counties, giving information regarding the expenditure of certain legislative appropriations for the construction of roads and bridges, were referred to the Committee on Highways, with instructions to compare said reports with the requirements of the law, and ascertain whether or not the expenditures have been properly made.

On motion of Mr. Rider, the House, at 8:10 p. m., adjourned until Monday, March 1st at 2 o'clock p. m.

Benediction by the Chaplain.

FIFTIETH DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Monday, March 1, 1886.

2 p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of Saturday read, amended and approved.

On motion of Mr. Rider, Mr. Stuart was granted a leave of absence from to-day's session.

PRESENTATION OF PETITIONS.

By Mr. Thurman—A petition from Wm. H. King, Assessor and Collector of Millard County, asking for a reimbursemet for uncollectable taxes.

Referred to the Committee on Claims and Public Accounts.

By Mr. Kimball—A petition from John Snowball, Assessor and Collector of Rich County, asking relief for uncollectable taxes.

Referred to the Committee on Claims and Public Accounts.

REPORTS OF STANDING COMMITTEES.

By the Committee on Judiciary:

Committee Room,
March 1, 1886.

Mr. Speaker:

Your Committee on Judiciary, to whom was referred H. F. 45, having had the same under advisement, beg leave to report the same back, and recommend its passage.

HATCH,
Chairman.

Committee Room,
March 1, 1886.

Mr. Speaker:

Your Committee on Judiciary, to whom was referred H. F. 6, beg leave to return the same to the table, as its provisions are incorporated in substitute bill No. —, introduced on Saturday, 27th ult.

HATCH,
Chairman.

Adopted.

Committee Room,
March 1, 1886.

Mr. Speaker:

Your Committee on Judiciary, to whom was referred H. F. 34, ask leave to report the same back unfavorably, and ask it be rejected.

HATCH,
Chairman.

Adopted.

By the Committee on Live Stock:

Committee Room,
March 1, 1886.

Mr. Speaker:

Your Committee on Live Stock, to whom was re-

ferred H. F. No. 42, a bill providing for bulls running at large, after due consideration, we recommend that it be put upon its passage.

Respectfully,
JOSEPH KIMBALL,
Chairman.

Adopted.

Reports from the County Clerks of Wasatch and Iron Counties, giving information concerning the expenditure of appropriations, made at the twenty-sixth session, for the construction of roads and bridges; were referred to the Committee on Highways.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. McLaughlin—H. F. 59, a bill providing for the appointment of official reporters.

Read first time, and referred to the Committee on Judiciary.

By Mr. West—H. F. 60, a bill amending an Act providing for the establishment of district schools.

Read first time by its title and referred to the Committee on Education.

By Mr. McLaughlin—H. F. 61, a bill amending Section 20, of Chapter VII., of Laws of 1884, an Act incorporating Park City, in Summit County, U. T.

Read first time and placed on general file.

SPECIAL ORDER.

Substitute for H. F. 36 and C. F. 17, amending an Act entitled "An Act revising the proceedings in Justices' Courts and providing for appeals to District Courts in criminal cases," approved March 13, 1884.

Read third time, amended and lost.

Ayes—Clark, Creer, Cannon, Howell, Kimball, Straford, Woolley, West, Young—9.

Noes—Smoot, Anderson, Baty, Farnsworth, Houston, King, McCullough, McLaughlin, Thurber, Rider—10.

Absent—Hatch, Lund, Stuart—3.

Not voting—Thurman—1.

MESSAGE FROM THE COUNCIL.

Council Chamber,
March 1, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed substitute for H. F. No. 50, providing for a Territorial Board of Equalization, and the same is now forwarded (together with House original) for your action thereon.

The Council concurs in the adoption of report of the Committee on Ways and Means of the House, relative to renting offices for the Auditor of Public Accounts for the ensuing two years.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Substitute for H. F. 50 read and referred to the Committee on Ways and Means.

Council Chamber,
March 1, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed substitute for H. F. No. 8, amending an Act entitled "An Act to incorporate American Fork City, Utah County, with amendments, and same is now forwarded for your action on said amendments.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Council Amendments concurred in, and bill sent to the Committee on Enrollment.

Council Chamber,
March 1, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed H. F. No. 19, to establish

a Territorial Reform School, with amendments, and the same is now forwarded for your action on said amendments.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

On motion of Mr. Smoot, the bill was recommitted to Committee on Penitentiary and Reform School.

MOTIONS AND RESOLUTIONS.

Mr. Hatch introduced a resolution which, after being amended, was adopted, as follows:

Mr. Speaker:

I move that no bills be introduced by members of this House after Wednesday the 3d inst., without the consent of thirteen of the members present when such bill or bills are presented; also, that the committees be requested to report on all bills in their hands not later than Thursday, the 4th inst.

HATCH.

SECOND READING OF BILLS.

H. F. 45, a bill amending Section 27, Chapter VII, Laws of Utah, 1884, entitled, "An Act relating to procedure of Probate Courts in the settlement of estates and guardianship.

Read second time, and placed on general file.

H. F. 42, a bill providing for bulls running at large

Pending second reading, the bill was ordered printed.

H. F. 61, a bill amending an Act incorporating Park City, in Summit County.

Read second time, by its title.

Read third time, under a suspension of the rules and passed.

Ayes—Anderson, Baty, Clark, Creer, Farnsworth, Hatch, Cannon, Howell, Houston, King, Kimball, Lund, McCullough, McLaughlin, Rider, Smoot, Stratford, Thurber, Thurman, Woolley, West, Young—22.

Noes—0.

Absent—Stuart—1.

Title approved.

Substitute for H. F's 5, 23 and 37, and C. F's 12, 23 and 30, amending the Code of Civil Procedure in the courts of Utah Territory.

Read second time, by sections, and placed on general file.

REPORT OF ENROLLMENT COMMITTEE.

Committee Room,
March 1, 1886.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred for enrollment H. F. No. 27, an Act amending Sections 4 and 10, Chapter XXXI., Laws of 1880; also H. F. No. 49, an Act prescribing qualifications for electors and office-holders, providing for the registration of voters, and regulating the manner of conducting elections; have been correctly enrolled, and forwarded to the Governor this day for his action thereon.

Respectfully,

Jos. A. WEST,
Chairman.

COMMUNICATION FROM THE GOVERNOR.

Territory of Utah,
Executive Office,
Salt Lake City, Feb. 27, 1886. }

Hon. W. W. Ritter, Speaker House Representatives:

SIR:—I herewith return H. F. No. 33, without my approval. Provisions such as are contained in Section 4 have been held to be invalid in California, and may be so in this Territory. The legislative power by the Organic Act is vested in the Governor and Legislative Assembly, and the validity of an act, perhaps, may not be left to the determination of another tribunal, or even a vote of the Territory or any county. The policy is

not the best one. This bill will be beneficial to Rich County, and perhaps to other counties. If so, they should be named, or it should have universal application.

I am, very respectfully,

ELI H. MURRAY,
Governor.

On motion of Mr. Thurman, the Governor's objections were referred to the Committee on Live Stock for consideration.

On motion of Mr. West, the House, at 5 p. m., adjourned until to-morrow, at 2 o'clock p. m.

Benediction by the Chaplain.

FIFTY-FIRST DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Tuesday, March 2, 1886.

2 a. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of Monday read, amended and approved.

PRESENTATION OF PETITIONS.

By Mr. Baty—A petition from O. G. Snow, Collector, of Box Elder County, asking to be reimbursed for uncollectable taxes for the years 1880, '81, '82, '83 and '84.

Referred to the Committee on Claims and Public Accounts.

REPORTS OF STANDING COMMITTEES.

By the Committee on Highways :

Committee Room,
March 2, 1886.

Mr. Speaker:

Your Committee on Highways, to whom was referred

petition No. 15, from certain residents of Iron County, asking an appropriation of \$1,000 to complete the wagon road from Kanarra in Iron County, to Asay's ranch in Garfield County, have carefully inquired into the merits of said road, and respectfully recommend that the sum of \$500 be appropriated for that purpose; to be drawn and expended under the direction of the County Court of Iron County.

HOWELL,
Chairman.

- Adopted.

By the Committee on Penitentiary and Reform School.

Committee Room,
March 2, 1886.

Mr. Speaker:

Your Committee on Penitentiary and Reform School, to whom was referred Council amendments to H. F. 19, a bill to establish a Territorial Reform School, beg leave to report that they have carefully considered said amendments, and recommend that the House concur in them.

Respectfully,

A. H LUND,
Chairman.

House refused to concur in certain Council amendments, and asked a Committee on Conference.

By the Committee on Elections:

Committee Room,
March 2, 1886.

Mr. Speaker:

Your Committee on Elections to whom was referred petition No. 47, asking for a bill providing for the sanctity of the elective franchise and the mode of conducting elections, state that the same has received the most candid consideration of your committee, and herewith

report back as being in our judgment very incomplete and impracticable.

R. H. BATY,
Chairman.

Report of Committee and accompanying papers laid on the table.

By the Committee on Education.

Committee Room,
March 2, 1886.

Mr. Speaker:

The Committee on Education, to whom was referred C. F. 20, amending Sections 578 and 580, Compiled Laws of Utah, respectfully report the same back favorably, and recommend its passage.

Also C. F. 38, amending Section 4, of Chapter XXX, Laws of 1884, with amendment, and recommend its passage.

Also H. F. 60, amending an Act providing for the establishment of district schools, with amendments, and recommend its passage.

CANNON,
Chairman.

H. F. 60 ordered printed, and C. F. 20 and C. F. 38 filed for second reading.

By the Committee on Judiciary:

Committee Room,
March 2, 1886.

Mr. Speaker:

Your Committee on Judiciary, to whom was referred H. F. No. 59, report as having had same under advisement, and refer same back with amendment, and ask that it be put upon its passage.

HATCH,
Chairman.

Bill place on general file.

By the Committee on Enrollment :

Committee Room
Feb. 1886.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred for enrollment H. F. No. 8, an Act amending an Act to incorporate American Fork City, Utah County, has been correctly enrolled, and this day forwarded to the Governor for his action thereon.

Respectfully,
JOS. A. WEST,
Chairman.

By the Committee on Municipal Corporations and Towns :

Committee Room,
March 2, 1886.

Mr. Speaker:

The Committee on Municipal Corporations and Towns, to whom was referred the petition by citizens of Ogden, for amendments to their city charter, report that said committee have duly considered the same, and herewith present a bill in accordance with said petition, and recommend that it be put upon its passage.

THURMAN,
Chairman.

Adopted and bill ordered printed.

By the Committee on Claims and Public Accounts :

Committee Room,
March 2, 1886.

Mr. Speaker:

The Committee on Claims and Public Accounts, to whom was referred petition of W. H. King, Collector of Millard County, for reimbursement for taxes paid into the Territorial treasury, and uncollected because of

erroneous assessments, recommend that the amount to-wit : \$138.08 be allowed and appropriated.

THURMAN,
Chairman.

Adopted.

By the Committee on Judiciary :

Committee Room,
March, 1, 1886.

Mr. Speaker:

Your Committee on Judiciary, having had under advisement H. F. No. 55, report same back and ask that it be read second time and printed.

HATCH,
Chairman.

Adopted.

MESSAGES FROM THE COUNCIL.

Council Chamber,
March 2, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed H. F. 61, amending the Park City charter without amendment; same is now returned.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Council Chamber,
March 2, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed substitute for C. F. No. 2, amending Sections 148 and 150 of the Compiled Laws of Utah, and the same is now forwarded for your action thereon.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

C. F. No. 2, read and referred to the Committee on Counties.

REPORT OF SELECT COMMITTEE.

By the Special Joint Committee appointed to audit the Accounts of the Auditor and Treasurer:

Committee Room,
March 2, 1886.

Mr. Speaker:

Your Special Joint Committee appointed to audit the accounts of the Auditor and Treasurer, and examine and compare redeemed Auditor's warrants, respectfully report that we have audited the accounts of said officers, compared the redeemed warrants with the stubs in the Auditor's office from which they had been issued, and found that the warrants and stubs agreed; that no warrant had been issued except upon the authority of an appropriation made by the Legislative Assembly, and that no money has been paid by the Treasurer except on the Auditor's warrant. We have cancelled all the redeemed Auditor's warrants, also the stubs, and filed the same in the Auditor's office. The warrants redeemed by the Treasurer amount to \$372,058.28. We found that the reports of the Auditor and Treasurer for the years 1884 and 1885, submitted to the Legislative Assembly by His Excellency the Governor, are true and correct exhibits of the receipts and disbursements of all Territorial funds for the terms covered by them.

JOHN CLARK,
Chairman.

Adopted.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. King—H. F. 64, a bill providing for the removal of insane convicts to the Territorial Insane Asylum.

Read first time by its title, and referred to the Committee on Penitentiary and Reform Schools.

By Mr. Creer—H. F. 65, amending Chapter X. of the Laws of 1884.

Read first time and referred to the Committee on Municipal Corporations and Towns.

MESSAGE FROM THE COUNCIL.

Council Chamber,
March 2, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has granted the House request for Committee of Conference relative to H. F. 19, reform school, and appointed Councilors Sharp, Barton and Page as conferees on the part of the Council.

The Council has received communications from His Excellency the Governor, disapproving the following bills.

C. F. No. 18, prescribing the punishment for a misdemeanor

C. F. No. 15, disputed county boundary lines.

C. F. No. 32, befouling of waters.

Said communications are forwarded herewith.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

The Speaker appointed Messrs. Lund, West and King, a Committee on Conference to confer with a like committee of the Council on proposed amendments to H. F. 19.

The communications from the Governor, referring to C. F's 18, 15 and 32, were read.

Council Chamber,
March 2, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed substitute for H. F. 52,

to change the boundaries of San Juan and Emery counties, without amendment; same is now returned.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

MOTIONS AND RESOLUTIONS.

By Mr. Rider:

Resolved. The Council concurring, that the report of the Territorial Superintendent of District Schools and the Chancellor and Board of Regents of the University of Deseret, be distributed as follows:

One copy each to the Governor, Secretary, and members of the Legislative Assembly; two copies each to the County Superintendent of District Schools; one copy each to the trustees of each district in the Territory; five copies to each County Court for the benefit of the county officers; two hundred copies to the Deseret University, and the remainder to the Territorial Superintendent of District Schools for general circulation.

RIDER.

Referred to the Committee on Education.

SECOND READING OF BILLS.

C. F. No. 38, a bill amending Section 4 of Chapter XXX., of the Laws of Utah of 1884.

Read second time, and amended.

Read third time by its title, under a suspension of the rules, and passed.

Ayes—Anderson, Baty, Clark, Creer, Cannon, Farnsworth, Howell, Hatch, Houston, King, Kimball, Lund, McCullough, McLaughlin, Rider, Smoot, Stratford, Thurber, Thurman, Woolley, West, Young, Stuart—23.

Noes—0.

Title approved.

C. F. No. 20, a bill amending Sections 578 and 580, Compiled Laws of Utah.

Read second time.

Read third time, under a suspension of the rules, and passed.

Ayes—Anderson, Baty, Clark, Creer, Cannon, Farnsworth, Howell, Houston, King, Kimball, Lund, McCullough, McLaughlin, Rider, Smoot, Stuart, Stratford, Thurber, Thurman, Woolley, West, Young—22.

Noes—0.

Absent—Hatch—1.

Title approved.

H. F. 59, a bill providing for the appointment of official reporters.

Amended, read second time, and placed on general file.

THIRD READING OF BILLS.

Substitute for H. F's 5, 23 and 37, and C. F's 12, 23 and 30, amending the Code of Civil Procedure in the courts of Utah Territory.

Pending consideration, the bill was made the special order for to-morrow.

H. F. 45, a bill amending Section 27, Chapter VII., Laws of Utah, 1884, in relation to estates and guardianship.

Read third time and passed.

Ayes—Anderson, Baty, Creer, Cannon, Farnsworth, Hatch, Howell, Houston, King, Kimball, Lund, McCullough, McLaughlin, Rider, Smoot, Stuart, Stratford, Thurber, Thurman, Woolley, West, Young—22.

Noes—0.

Absent—Clark—1.

Title approved.

MESSAGE FROM THE COUNCIL.

Council Chamber,
March 2, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day laid on the table indefinitely H. F. 53, a bill amending Section 2 of an Act licensing

and regulating the manufacture and sale of liquors; same is forwarded herewith.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

MISCELLANEOUS.

Mr. Thurman presented a petition, accompanied by a bill, from the Mayor and other citizens of Lehi, asking that certain amendments be made to their city charter.

Referred to the Committee on Municipal Corporations and Towns.

On motion of Mr. Cannon, the House, at 5:35 p. m., adjourned until to-morrow at 2 o'clock p. m.

Benediction by the Chaplain.

FIFTY-SECOND DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Wednesday, March, 3, 1886.

2 p. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of Tuesday read and approved.

REPORTS OF STANDING COMMITTEES.

By the Committee on Judiciary:

Committee Room,
March 3, 1886.

Mr. Speaker:

Your Committee on Judiciary, to whom was re-committed substitute bill H. F. No. 40, having duly con-

sidered the same, beg leave to report back the enclosed substitute with a recommendation that it be adopted, and put upon its passage.

HATCH,
Chairman.

Adopted.

By the Committee on Highways:

Committee Room,
March 3, 1886.

Mr. Speaker:

Your Committee on Highways, to whom was referred communications from certain counties in reference to the manner in which Territorial appropriations for roads and bridges have been expended in such counties, beg leave to report that in 1884 appropriations to Box Elder, Cache, Iron, Juab and Salt Lake counties, were made for specific purposes without any conditions or restrictions, and the amounts have been drawn by said counties, and so far as expended have been properly applied. Appropriations to Morgan, Summit, Sevier, Sanpete and Wasatch were made for specific purposes coupled with a condition that the counties should respectfully augment the Territorial appropriations from county funds. The statements before us do not prove that the said counties have complied with the conditions imposed, but evidently the financial statements of said counties will explain the matter. Your committee, therefore, recommend that the communications of said counties be referred to Committee on Counties, and are, therefore, herewith returned. The counties of Emery, Uintah, Kane, Garfield, Utah, Millard and Washington have not yet responded to the requirements of the House resolution on the expenditure of Territorial appropriations for roads and bridges.

HOWELL,
Chairman.

Adopted.

A report from the County Clerk of Kane County, giving information concerning the expenditure of cer-

tain special appropriations, was referred to the Committee on Highways.

By the Committee on Ways and Means :

Committee Room,
March 3, 1886.

Mr. Speaker:

The Committee on Ways and Means, to whom was referred Council substitute for H. F. 50, providing for a Territorial Board of Equalization, report that they have carefully considered the question submitted to them, and recommend that the substitute bill be adopted.

STRATFORD,
Chairman.

Adopted.

Committee Room,
March 3, 1886.

Mr. Speaker:

The Committee on Ways and Means, to whom was referred petition No. 60, from the County Court of Kane County, have had the petition under consideration, and report that in our opinion as a matter of justice, Washington and Iron counties should have assumed their proportion of the indebtedness incurred by Kane County before the change was made in its boundary lines. But as these County Courts have been appealed to and have refused to assume this indebtedness, and as it was by an act of the Legislature that Kane County was deprived of the revenue of the Territory detached from it, and they are represented as being unable to pay it without serious injury to the taxpayers of that county, we recommend that two-thirds of the amount referred to in their petition, viz: \$783.81 be appropriated out of the Territorial treasury for the relief of Kane County.

STRATFORD,
Chairman.

Adopted.

By the Committee on Penitentiary and Reform School:

Committee Room,
March 3 1886.

Mr. Speaker:

Your Committee on Penitentiary and Reform School, to whom was referred H. F. 64, a bill providing for the removal of insane convicts to the Territorial Insane Asylum, beg leave to report that they have considered said bill and recommend that it be put upon its passage.

A. H. LUND,
Chairman.

By the Committee on Municipal Corporations and Towns:

Committee Room,
March 2, 1886.

Mr. Speaker:

Your Committee on Municipal Corporations and Towns, to whom was referred C. F. No. 27, a bill amending an act incorporating the City of Morgan, in Morgan County, approved February 13, 1868, herewith return same with amendment by striking out in Section 9, all after the word "jail," and recommend the bill as amended be put upon its passage.

THURMAN,
Chairman.

Report filed with bill.

Committee Room,
March 3, 1886.

Mr. Speaker:

Your Committee on Municipal Corporations and Towns, to whom was referred H. F. No. 65, beg to report that we have considered the same, and offer in-

stead a substitute, and recommend that it be put upon its passage.

THURMAN,
Chairman.

Report filed with bill.

Committee Room,
March 3, 1886.

Mr. Speaker:

Your Committee on Municipal Corporations beg leave to report that they have considered substitute for C. F. No. 3 and H. F. No. 32, a bill amending an Act incorporating the city of Smithfield, in Cache County, and report the same back with accompanying amendments, and recommend its passage.

THURMAN,
Chairman.

Report filed with bill.

By the Committee on Appropriations :

Committee Room,
March 3, 1886.

Mr. Speaker:

The Committee on Appropriations, to whom has been referred sundry claims and petitions, as reported by the various committees and adopted by the House, respectfully report the same back with accompanying bill, and recommend its passage.

JOHN CLARK,
Chairman.

Bill read first and second times, by its title, and placed on general file.

By the Committee on Elections:

Committee Room,
March 3, 1886.

Mr. Speaker:

Your Committee on Elections, to whom was re-

ferred H. F. No. 57, a bill apportioning the legislative representation of the Territory of Utah, having duly considered the same, report back a substitute and ask its adoption and recommend its passage.

BATY,
Chairman.

Report filed with bill.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. King—H. F. 68, a bill to suppress and prevent the dissemination of contagious and infectious diseases among domestic animals, and to provide for a Territorial Veterinarian.

Read by its title, and referred to the Committee on Live Stock.

By Mr. Kimball—H. F. 69, a bill to restrain bulls from running at large in Rich County.

Read first time and placed on general file.

By Mr. Lund—H. F. 70, a bill providing for the punishment of jail breakers.

Read first time by its title, and referred to the Committee on Penitentiary and Reform School.

By Mr. Farnsworth—H. F. 71, a bill pertaining to mining claims.

Read first time, and placed on general file.

By Mr. McLaughlin—H. F. 72, a bill providing for the record of marriages.

Read first time by its title, and referred to the Committee on Judiciary.

By Mr. McLaughlin—H. F. 73, a bill amending Chapter II., Title III., Compiled Laws of 1876.

Read first time, and placed on general file.

By Mr. Thurber—H. F. 74, a bill amending Chapter VI., Session Laws of 1884, an Act for the protection of fish and game.

Read first time and placed on general file.

By Mr. Thurber—H. F. 75, a bill amending Section 278, Chapter V., penal code.

Read first time, and referred to the Committee on Judiciary.

SPECIAL ORDER.

H. F. 62, substitute for H. F.'s 5, 23 and 37, and C. F.'s 12, 23 and 30, amending the Code of Civil Procedure in the Courts of Utah Territory.

Amended, read third time and passed.

Ayes—Anderson, Baty, Clark, Creer, Cannon, Farnsworth, Hatch, Howell, Houston, Kimball, Lund, McCullough, McLaughlin, Rider, Stuart, Smoot, Stratford, Thurber, Thurman, Woolley, West—21.

Noes—0.

Absent—Young, King—2.

MOTIONS AND RESOLUTIONS.

By Mr. West.

Resolved, By the House, the Council concurring, that a committee to be composed of five members of the House and three of the Council be appointed by the Speaker and President respectively, to whom shall be referred the several veto messages of His Excellency the Governor, with instructions to consider the same and report at an early day by resolution or otherwise as the committee may deem wise and expedient.

Adopted.

SECOND READING OF BILLS.

Substitute for H. F. 57, a bill apportioning the legislative representation of Utah Territory.

Read second time.

Read third time, by its title, under a suspension of the rules and passed.

Ayes—Anderson, Baty, Clark, Creer, Cannon, Howell, Hatch, Houston, Kimball, Lund, McCullough, Rider, Stratford, Thurber, Woolley, West, Stuart—17.

Noes—Smoot, McLaughlin—2.

Absent—Hatch, Young, Thurman, King—4.

Title approved.

H. F. 29, a bill regulating the herding, branding

and care of stock, and punishing certain offenses concerning the same.

Pending consideration, the bill was referred to the Committee on Live Stock.

C. F. 27, a bill amending an Act incorporating Morgan City.

Amended and read second time.

Read third time by its title, under a suspension of the rules, and passed.

Ayes—Anderson, Baty, Clark, Cannon, Farnsworth, Hatch, Howell, Houston, Lund, King, Kimball, McCullough, McLaughlin, Rider, Stuart, Smoot, Stratford, Thurber, Thurman, Wooley, West—21.

Noes—0.

Absent—Creer, Young—2.

Title approved.

MESSAGES FROM THE COUNCIL.

Council Chamber,
March 3, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed H. F. 45, amending an Act relating to Procedure of Probate Courts in the settlement of estates and in guardianship, with amendments, and the same is now forwarded for your action on said amendments.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Council amendments concurred in.

Council Chamber,
March 3, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day concurred in House amendments to C. F. No. 38, amending Section 4 of Chapter

XXX., Laws of 1884, and said bill has been reported for enrollment.

The Council has adopted report of Conference Committee in reference to H. F. No. 19, reform school, and all House amendments made thereto concurred in; said bill is herewith returned.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

H. F. 19 sent to the Committee on Enrollment.

REPORT OF CONFERENCE COMMITTEE.

Committee Room,
March, 3, 1886.

Mr. Speaker:

The Committee on Conference, appointed to consider the disagreeing vote of the Assembly on H. F. No. 19, reform school bill, beg leave to report that we have considered said disagreement, and the committee have agreed to recommend an amendment to Section 2, as follows: "except the Governor and Auditor of Public Accounts," and that the House adhere to Section 13, in relation to Probate Judges of the counties.

Respectfully,

KING,
Chairman.

Adopted.

Council Chamber,
March 3, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed H. F. 29, regulating the branding, herding and care of stock, with amendments; substitute for C. F. 36, amending Section 139, Chapter II., Title IV. of the Code of Civil Procedure, both of which are now forwarded for appropriate action.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

Substitute read by its title, and referred to the Committee on Judiciary.

Council Chamber,
March 3, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day concurred in the adoption of H. C. R. No. 23, in respect to the appointment of a committee to consider the veto messages of His Excellency the Governor, etc., and has appointed Councilors Barton, Taylor and Hammond on the part of the Council.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

The Speaker appointed Messrs. West, Cannon, Thurman, King and Lund, a committee on behalf of the House to consider the Governor's veto messages.

Council Chamber,
March 3, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed substitute for H. F. 57 apportioning the legislative representation of the Territory, without amendment, and same is herewith returned.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Bill sent to the Committee on Enrollment.

COMMUNICATION FROM THE GOVERNOR.

Territory of Utah,
Executive Office,
Salt Lake City, March 3, 1886. }

Hon. W. W. Ritter, Speaker House Representatives:

SIR:—I herewith return H. F. No. 16, without my approval.

Under the present law, a convict entitled for good conduct to a reduction of the period of his sentence, is released by the Warden, without a pardon. If the practice is the correct one under the present law, it will be good under this bill, and therefore it is unnecessary to furnish the Governor with the certificate.

A record of so important a matter as the diminution of the sentence of a court should be kept.

The certificate should be forwarded by the Warden for record in the office of the Secretary of the Territory, and no objections appearing to the Governor, the convict should be releasee.

This bill, like the present statute, undertakes to curtail the power of the executive in prescribing that the certificate of the Warden "shall entitle the convict" to a pardon, and a restoration to citizenship, etc. Under the Organic Act, the power of pardon is vested in the executive, and therefore may not be abridged by Territorial statute.

A credit for good conduct not less than the present law prescribes should be given. The object of the bill is a good one, and should become law.

I am, very respectfully,

ELI H. MURRAY,

Governor.

On motion of Mr. Thurman, the Governor's objections were referred to the Committee on Penitentiary and Reform School, with instructions to draft a bill in accordance with the Governor's suggestions.

REPORT OF ENROLLMENT COMMITTEE.

Committee Room,
March 3, 1886.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred for enrollment H. F. No. 52, an Act to change the boundaries of San Juan and Emery counties, has

been correctly enrolled, and this day forwarded to the Governor for his approval.

Respectfully,

Jos. A. WEST,
Chairman.

SECOND READING OF BILLS (CONTINUED).

H. F. 60, a bill amending an Act providing for the establishment of district schools.

Pending consideration, the House, at 5 p. m., on motion of Mr. King, adjourned until to-morrow morning at 10 o'clock.

Benediction by the Chaplain.

FIFTY-THIRD DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Thursday, March 4, 1886.

10 a. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll call—quorum present.

Prayer by the Chaplain.

Journal of Wednesday read and approved.

UNFINISHED BUSINESS—SECOND READING OF BILLS.

H. F. 60, a bill amending an Act providing for the establishment of district schools.

Amended, read second time and placed on general file.

Substitute for H. F. 65, a bill to amend Chapter X, of the Laws of 1884.

Read second time, and placed on general file.

H. F. 63, an Act to amend the charter of Ogden City.

Amended and read second time.

Read third time by its title, under a suspension of the rules, and passed.

Ayes—Anderson, Baty, Clark, Creer, Cannon, Farnsworth, Hatch, Houston, Lund, King, Kimball, McCullough, McLaughlin, Rider, Stuart, Smoot, Straford, Thurber, Woolley, West, Young—21.

Noes—0.

Absent—Howell, Thurman—2.

Title amended and approved.

On Motion of Mr. Clark, the rules were suspended, and the House took up H. F. 67, a bill making appropriations for general purposes.

Read third time by sections, amended and passed.

Ayes—Anderson, Baty, Clark, Creer, Cannon, Farnsworth, Hatch, Howell, Houston, Lund, King, Kimball, McCullough, McLaughlin, Rider, Stuart, Smoot, Stratford, Thurber, Thurman, Woolley, West—22.

Noes—0.

Absent—Young—1.

Title approved.

Mr. Hatch moved that the sum of \$500 be included in the general appropriation bill, to reimburse Karrens & Co., for expenses incurred in constructing a bridge across the Du Chesne River in Uintah County.

Question referred to the Committee on Highways.

SECOND READING OF BILLS (CONTINUED).

H. F. 64, a bill providing for the removal of insane convicts to the Territorial Insane Asylum.

Read second time, ordered printed, and placed on general file.

H. F. 71, a bill pertaining to mining claims.

Read second time, by its title.

Read third time under a suspension of the rules, and passed.

Ayes—Anderson, Baty, Clark, Creer, Cannon, Farnsworth, Hatch, Howell, Lund, King, Kimball, McCullough, McLaughlin, Rider, Stuart, Smoot, Stratford, Thurber, Wolley, West—20.

Noes—0.

Absent—Houston, Thurman, Young—3.

Title amended and approved.

H. F. 74, a bill amending Chapter VI., of the Laws of 1884, an Act for the protection of fish and game.

Read second time.

Read third time, by its title, under a suspension of the rules, and passed.

Ayes—Anderson, Baty, Clark, Creer, Cannon, Farnsworth, Hatch, Howell, Lund, King, Kimball, McCullough, McLaughlin, Rider, Stuart, Smoot, Stratford, Thurber, Woolley, West—20.

Noes—0.

Absent—Thurman, Young, Houston—3.

Title approved.

On motion of Mr. Baty the House took a recess until 2 p. m.

2 p. m.

H. F. 69, a bill to restrain bulls from running at large during certain seasons of the year.

Read second time.

Read third time, by its title, under a suspension of the rules and passed.

Ayes—Anderson, Baty, Clark, Creer, Farnsworth, Hatch, Houston, Howell, Lund, McCullough, McLaughlin, Rider, Stuart, Smoot, Stratford, Thurber, Woolley—17.

Noes—0.

Not voting—Thurman—1.

Absent—Cannon, Young, King, West—4.

Title amended and approved.

Substitute for H. F. 40, a bill providing for the punishment of sexual crimes.

Read second time by its title and ordered printed.

H. F. 42, a bill providing for bulls running at large.

Read second time, amended, and placed on general file.

H. F. 73, a bill amending Chapter II., Title III., Compiled Laws of Utah.

Read second time and placed on general file.

H. F. 55, a bill providing for impounding animals, prescribing the regulations of pounds, and for the disposing of estrays.

Read second time, by its title, and placed on general file.

THIRD READING OF BILLS.

H. F. 59, a bill providing for the appointment of official reporters.

Read third time and passed.

Ayes—Anderson, Baty, Clark, Creer, Farnsworth, Hatch, Houston, Howell, McCullough, McLaughlin, Rider, Stuart, Smoot, Stratford, Thurber, Kimball, Woolley—17.

Noes—0.

Absent—West, Lund, Thurman, Cannon, King, Young—6.

Title approved.

Substitute for C. F. 3, and H. F. 32, amending an Act incorporating Smithfield, in Cache County.

Amended, read third time, and passed.

Ayes—Anderson, Baty, Clark, Creer, Farnsworth, Hatch, Houston, Howell, Kimball, McCullough, McLaughlin, Rider, Stuart, Smoot, Stratford, Thurber, Wooley—17.

Noes—0.

Absent—West, Lund, Thurman, Cannon, King, Young—6.

Title approved.

MESSAGE FROM THE COUNCIL.

Council Chamber,

Mr. Speaker: March 4, 1886.

I am directed to inform your honorable body that the Council has this day refused to concur in House amendments to C. F. 27, Morgan City charter, and asks Committee of Conference. The Council has appointed on the part of the Council, Councilors Francis and Grover.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

The House acceded to the Council's request for a Conference Committee, and the Speaker appointed Messrs. Baty, Farnsworth and Stuart to act in behalf of the House.

A report from the County Clerk of Utah County, giving information concerning the expenditure of certain special appropriations, was referred to the Committee on Highways.

REGULAR ORDER—PRESENTATION OF PETITIONS.

By Mr. Clark—A petition from J. K. Gillispie, asking that the Assembly pass a concurrent resolution authorizing the payment of certain jurors for service rendered in civil cases.

Referred to the Committee on Claims and Public Accounts.

REPORTS OF STANDING COMMITTEES.

By the Committee on Library:

Committee Room,
March 4, 1886.

Mr. Speaker:

Your Committee on Territorial Library, to whom was referred House report No. 10, respectfully state that we have carefully examined said report, and find that, according to our judgment, the disbursements have been properly made, and recommend that the report thereof be accepted.

Your committee further recommend that the sum of \$200, or so much thereof as may be necessary, be appropriated for the purpose of purchasing the statutes of the following named States and Territories, to-wit: California, Nevada, Wyoming, Idaho, Montana, Colorado, Arizona, New Mexico, Kansas, Nebraska, Dakota, Minnesota and Oregon.

WOOLLEY,
Chairman.

Report sent to Committee on Appropriations.

By the Committee on Live Stock:

Committee Room,
March 4, 1886.

Mr. Speaker:

Your Committee on Live Stock, to whom was referred H. F. No. 68, a bill to suppress and prevent the dissemination of contagious and infectious diseases among domestic animals, and to provide for the appointment of a Territorial Veterinarian, after duly considering the same, recommend that it be put upon its passage.

Respectfully,

JOSEPH KIMBALL,
Chairman.

Report filed with bill.

By the Committee on Counties:

Committee Room,
March 4, 1886.

Mr. Speaker:

Your Committee on Counties, to whom was referred a petition of citizens of Rich County, asking that county boundaries of Rich and Summit counties be changed so as to attach a portion of Summit County to Rich County, have had the same under advisement, and herewith submit a bill with the report of a majority of the committee in accord with the petition, and recommend it be put upon passage:

THURBER,
FARNSWORTH,
STRATFORD,
Of the Committee.

I do not concur in the above report.

HATCH,
Chairman.

Adopted, bill read first time, and ordered printed.

SECOND READING OF BILLS.

H. F. 68, a bill to suppress and prevent the dissemination of contagious and infectious diseases among domestic animals, and to provide for the appointment of a Territorial Veterinarian.

Read second time, by its title, and ordered printed.

THIRD READING OF BILLS (UNDER A SUSPENSION OF THE RULES).

H. F. 60, a bill amending an Act providing for the establishment of district schools.

On motion of Mr. Howell, the bill was made a special order for to-morrow.

Substitute for H. F. 65, a bill to amend Chapter X of the Laws of 1884.

Read third time and passed.

Ayes—Anderson, Baty, Clark, Creer, Farnsworth, Hatch, Howell, Houston, Kimball, McCullough, McLaughlin, Rider, Stratford, Stuart, Smoot, Thurber, Woolley—17.

Noes—0.

Absent—Thurman, Cannon, Lund, King, West, Young—6.

Title approved.

H. F. 42, a bill providing for bulls running at large.

Read third time by its title and lost.

Ayes—Houston, Rider, Kimball, Thurber—4.

Noes—Anderson, Baty, Clark, Creer, Farnsworth, Hatch, Howell, King, McCullough, McLaughlin, Stratford, Smoot, Woolley—13.

Absent—Cannon, Lund, Stuart, Thurman, West, Young—6.

H. F. 73, a bill amending Chapter II., Title III, Compiled Laws of 1876.

Read third time by its title and lost.

Ayes—Anderson, Baty, Creer, Hatch, Kimball, McLaughlin, Rider, Smoot—8.

Noes—Clark, Farnsworth, Houston, Howell, King, McCullough, Stratford, Stuart, Thurber, Woolley—10.

Absent—Cannon, Lund, Thurman, West, Young—5.

H. F. 55, a bill providing for the impounding of animals and prescribing the regulations of pounds and for the disposing of estrays.

Pending consideration, the bill was made a special order for to-morrow.

MESSAGES FROM THE COUNCIL.

Council Chamber,
March 4, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed H. F. 62, amending an Act revising the Code of Civil Procedure, with amendments.

H. F. 69, to prohibit bulls from running at large in Rich County, without amendments and

C. F. 39, to prevent the spread of contagious diseases among stock.

All of which are forwarded herewith for your appropriate action.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

House refused to concur in certain Council amendments to H. F. 62, and the Speaker appointed Messrs. West, Stratford and McLaughlin a Committee on Conference.

C. F. 39, read first time by its title, and referred to the Committee on Live Stock.

Council Chamber,
March 4, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day rejected H. F. 74, amending an Act for the protection of fish and game, which is now returned.

The Council has received a communication from

His Excellency the Governor disapproving C. F. 37 amending private corporations, which is forwarded for your information.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Governor's message vetoing C. F. 37 read, and, on motion of Mr. Thurman, the Governor's objections as therein contained were referred to the Committee on Private Corporations.

On motion of Mr. Woolley, the House, at 4:30 p. m., adjourned until to-morrow, at 2 o'clock p. m.

Benediction by the Chaplain.

FIFTY-FOURTH DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Friday, March 5, 1886.

2 p. m.

House met pursuant to adjournment.

Roll called—quorum present.

Prayer by the Chaplain.

Journal of Thursday read and approved.

PRESENTATION OF PETITIONS.

By Mr. Lund—Petitions from O. H. Crandall and Jno. L. Brosher, ex-collectors, and Jno. D. Killpack, Collector of Emery County, asking relief for uncollectable taxes.

Referred to the Committee on Claims and Public Accounts.

Reports from the County Clerks of Millard and Emery Counties, giving information concerning the expenditure of certain special appropriations, were referred to the Committee on Highways.

REPORTS OF STANDING COMMITTEES.

By the Committee on Highways :

Committee Room,
March 5, 1886.

Mr. Speaker:

Your Committee on Highways, to whom was referred the matter of appropriating \$500 to reimburse Thomas Karren, A. A. Hatch and L. Hatch, contractors on a bridge across the Du Chesne river, in Uintah County, have carefully examined the same, and recommend that the petition be not granted.

HOWELL,
Chairman.

Adopted.

By the Committee on Judiciary :

Committee Room,
March 5, 1886.

Mr. Speaker:

The Committee on Judiciary, to whom was referred H. F. 75, a bill amending Section 278, Chapter V., Penal Code, report that we have carefully considered the same, and report it back favorably, and recommend that the bill be put upon its passage.

HATCH,
Chairman.

Adopted.

By the Committee on Municipal Corporations and Towns :

Committee Room,
March 5, 1886.

Mr. Speaker:

The Committee on Municipal Corporations to whom was referred substitute for C. F. 24, incorporating Nephi City, herewith report the same and recommend that Section 12 of said bill be amended by

striking out all in line twenty-five, after the word "regulate," and before the word "auctioneers," and that said bill, as amended, be put upon its passage.

THURMAN,
Chairman.

Report filed with bill.

By the Committee on Claims and Public Accounts:

Committee Room,
March 5, 1886.

Mr. Speaker:

Your Committee on Claims and Public Accounts, to whom was referred petition of O. G. Snow, Assessor and Collector for Box Elder County, for reimbursement for taxes, paid by him into the Territorial Treasury, and uncollected, have carefully considered the same, and recommend that the amount, \$249.58, be allowed and appropriated.

THURMAN,
Chairman.

Adopted.

By the Committee on Live Stock:

Committee Room,
March 5, 1886.

Mr. Speaker:

Your Committee on Live Stock, to whom was referred H. F. No. 29, a bill regulating the herding, branding, care of stock, etc., report that we have considered the Council amendments to said bill, and recommend that the House concur with said amendments, with further amendments offered by your committee.

Respectfully,

JOSEPH KIMBALL,
Chairman.

The House did not adopt the Council amendments as recommended by the committee, and the Speaker appointed Messrs. Kimball, Farnsworth and Houston to Conference.

By the Committee on Penitentiary and Reform School:

Committee Room,
March 4, 1886.

Mr. Speaker:

Your Committee on Penitentiary and Reform School, to whom were referred the Governor's objections to H. F. 16, with instructions to draft a bill in accordance with the Governor's suggestions, report that they have had this matter under consideration, and beg leave to introduce the accompanying bill.

Respectfully,

A. H. LUND,
Chairman.

Bill read first time by its title and placed on general file.

By the Committee on Contingent Expenses of the House:

Committee Room,
March 5, 1886.

Mr. Speaker:

Your Committee on Contingent Expenses of the House, herewith submit statement with accompanying bill, aggregating \$708, which amount your committee respectfully recommend to be inserted in the appropriation bill, to be drawn upon the order of Levi Snow, Sergeant-at-Arms of the House for accounts certified to by the Speaker.

ANDERSON,
Chairman.

Report sent to the Committee on Appropriations:

MESSAGE FROM THE COUNCIL.

Council Chamber,
March 4, 1886.

Mr. Speaker:

I am directed to inform your honorable body that

the Council has this day passed H. F. 63, amending Ogden City charter, and H. F. 65, amending Chapter X of the Laws of 1884, without amendment; also, H. F. 59, providing for the appointment of official reporters, with one amendment. All of which are now returned for your action.

The Council has appointed Councilors Sharp, Grover and Francis as conferees on the part of the Council in reference to H. F. 62, amending the Civil Code.

Respectfully,

HEBER M. WELLS.

Chief Clerk.

H. F's 63 and 65 sent to the Committee on Enrollment.

House refused to Concur in Council amendments to H. F. 59.

REPORT OF SELECT COMMITTEE.

By the Committee on Conference.

Committee Room.

March 5, 1886.

Mr. Speaker:

Your Committee on Conference, appointed to consider, with a like committee of the Council, on the disagreement to the House amendments to C. F. No. 27, a bill amending an Act incorporating the city of Morgan, in Morgan County, beg to report that we have met with Council committee, with the result that they agree to the House amendments to said bill.

R. H. BATT.

Chairman.

Adopted.

SPECIAL ORDER.

H. F. 55, a bill providing for impounding animals and prescribing the regulations of pounds, and for the disposing of estrays.

Amended, read third time and passed.

Ayes—Anderson, Baty, Clark, Creer, Cannon, Farnsworth, Hatch, Howell, King, Kimball, Lund, McCullough, Rider, Stratford, Stuart, Smoot, Thurman, West—18.

Noes—Houston, McLaughlin, Thurber, Woolley—4.
Absent—Young—1.

Title approved.

H. F. 60, a bill amending an Act providing for the establishment and support of district schools, and for other purposes.

Read third time, amended and passed.

Ayes—Anderson, Baty, Clark, Creer, Cannon, Farnsworth, Hatch, Howell, King, Kimball, Lund, McCullough, Rider, McLaughlin, Straford, Stuart, Thurman, West, Woolley—19.

Noes—Thurber, Houston—2.

Not voting—Smoot—1.

Absent—Young—1.

Title approved.

MESSAGE FROM THE COUNCIL.

Council Chamber,
March 5, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day adopted report of Conference Committee in reference to C. F. 27, amending Morgan City charter, and concurred in all House amendments thereto. Said bill has been referred for enrollment.

The Council has passed C. F. No. 40, amending Cedar City charter, substitute for C. F. No. 3 and H. F. No. 32, amending Smithfield City charter, with amendments. Both of which are now forwarded for appropriate action.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

C. F. 40, read first time by its title, and referred to the Committee on Municipal Corporations and Towns.

Council amendments to substitute for C. F. No. 3 and H. F. 32, concurred in.

MOTIONS AND RESOLUTIONS.

Mr. Howell moved that the vote by which H. F. 73, a bill amending Chapter II. of Title III. of the Compiled Laws of Utah was rejected, be reconsidered.

Carried, and the bill was a special order for Monday the 8th inst.

SECOND READING OF BILLS.

H. F. 76, a bill amending Sections 160 and 163, Compiled Laws of Utah.

Read second time, by its title, and placed on general file.

H. F. 75, a bill amending Section 278, Chapter V., Penal Code.

Read second time.

Read third time by its title, under a suspension of the rules, amended and passed.

Ayes—Anderson, Baty, Clark, Creer, Cannon, Hatch, Howell, Houston, Lund, Kimball, McCullough, McLaughlin, Rider, Stuart, Stratford, Smoot, Thurber, Thurman, Woolley—19.

Noes—Farnsworth—1.

Not voting—King—1.

Absent—West, Young—2.

Title amended and approved.

REPORT OF ENROLLMENT COMMITTEE.

Committee Room,
March 5, 1886.

Mr. Speaker:

Your Committee on Enrollment beg leave to report that the following House Bills have been correctly enrolled and this day forwarded to the Governor for his approval, viz.:

H. F. No. 19, an Act to establish a Territorial Reform School.

H. F. No. 45, an Act amending Section 27, Chapter VII., Laws of Utah, 1884.

H. F. No. 50, an Act providing for a Territorial Board of Equalization.

H. F. No. 57, an Act apportioning the Legislative representation of the Territory of Utah.

H. F. No. 61, an Act amending Section 20, Chapter VII., Laws of 1884, and

H. F. No. 69, an Act to prohibit bulls from running at large in Rich County, etc.

Respectfully, etc.,

Jos. A. WEST.

Chairman.

SECOND READING OF BILLS (CONTINUED).

C. F. 24, a bill incorporating Nephi City, in Juab County.

Read second time by its title, and made special order for to-morrow.

H. F. 77, a bill to lessen the terms of sentence of convicts for good conduct.

Read second time by its title, and placed on general file.

THIRD READING OF BILLS.

H. F. 64, a bill providing for the removal of insane convicts to the Territorial Insane Asylum.

Pending consideration, on motion of Mr. McLaughlin, the bill was recommitted to the Committee on Penitentiary and Reform School.

MESSAGES FROM THE COUNCIL.

Council Chamber,
March 5, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed C. F. 41, amending the

charter of Logan City, and the same is now forwarded for your action.

The Council adheres to its amendment to H. F. 59, court reporters, and the bill is returned for your further action.

Councilors Grover, Barton and Heyborne have been appointed conferees on the part of the Council in reference to H. F. 29, the stock bill.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

C. F. 41, read first and second times by its title, and referred to the Committee on Municipal Corporations and Towns.

The House insisted on its objection to the Council's amendment to H. F. 59, and the Speaker appointed Messrs. Cannon, McCullough, McLaughlin as a Committee on Conference.

Council Chamber,
March 5, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed H. F. No. 67, making appropriations for general purposes, with amendments, which is herewith forwarded for your action on said amendments.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Pending consideration of Council amendments to H. F. 67, Mr. Hatch, by unanimous consent, presented a petition asking for \$2,000 to assist Uintah County to build a bridge across the Uintah River, at a point about ten miles below Fort Uintah: *Provided*, Uintah County expend \$500 for the same purpose, and that under the direction of the County Court of Uintah County they cause to be built a good suspension bridge (span not to

be less than one hundred feet, or a bridge built with piles), at the discretion of said County Court.

Referred to the Committee on Highways.

REPORT OF COMMITTEE ON HIGHWAYS (BY UNANIMOUS
CONSENT).

Committee Room,
March 5, 1886.

Mr. Speaker:

Your Committee on Highways, to whom was referred petition No. 61, of F. F. Hammond, and other citizens of Bluff City, in San Juan County, asking an appropriation of \$8,000 for the construction of certain roads, beg leave to report that we have considered the same, and recommend that the bill making appropriations for general purposes, be amended in regard to the amount appropriated to be expended under the direction of San Juan County on the road from Fremont Valley to the Colorado River, by striking out \$1,000 and inserting in lieu \$1,500, and that said bill be further amended by striking out the amount of \$1,000 to construct a road from the Colorado River to the San Juan River and insert in lieu the sum of \$1,500, to be drawn and expended under the direction of the County Court of San Juan County, for the construction of a road from the Colorado River to the northern boundary of Arizona, on the route surveyed and located by Geo. Binkerhoff, of Piute County.

HOWELL,
Chairman.

Adopted.

On motion of Mr. Smoot, the House, at 5:15 p. m., adjourned until to-morrow, at 10:05 o'clock a. m.

Benediction by the Chaplain.

FIFTY-FIFTH DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Saturday, March 6, 1886.

10:05 a. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll call—quorum present.

Prayer by the Chaplain.

Journal of Friday read, amended and approved.

On motion, Messrs. Anderson, McCullough and Baty were excused from attendance at to-day's session.

UNFINISHED BUSINESS—THIRD READING OF BILLS.

Consideration of Council amendments to H. F. 67, a bill making appropriations for general purposes.

Council amendments partly concurred in, bill further amended, and,

Pending consideration, the House took a recess until 2 p. m.

2 p. m.

H. F. 67, laid on the table temporarily.

Substitute for H. F. No. 40, a bill further providing for the punishment of sexual crimes.

Amended, read third time and passed.

Ayes—Creer, Cannon, Farnsworth, Hatch, Houston, King, Kimball, Lund, Rider, Stratford, Stuart, Smoot, Thurber, Thurman, Wooley—15.

Noes—Howell, McLaughlin, Young—3.

Absent—McCullough, Clark, Anderson, Baty—4.

In the Chair—West—1.

Title approved.

H. F. No. 67, a bill making appropriations for general purposes.

Consideration resumed.

Mr. Hatch moved that the bill be amended by striking out \$20,000 for the payment of witnesses and jurors in Territorial criminal cases for the year 1886 and 1887, and \$40,000 be inserted in lieu thereof.

Ayes—Hatch, Houston, Howell, Lund, McLaughlin, Rider, Stuart—7.

Noes—Creer, Cannon, Farnsworth, King, Kimball, Stratford, Smoot, Thurber, Thurman, West—10.

Lost.

Bill further amended, and passed.

Ayes—Clark, Creer, Cannon, Farnsworth, Hatch, Howell, Houston, King, Kimball, Lund, Rider, Stuart, Stratford, Smoot, Thurber, Thurman, Woolley, Young,—18.

Noes—McLaughlin—1.

Absent—McCullough, Anderson, Baty—3.

In the Chair—West—1.

Title approved.

REPORT OF CONFERENCE COMMITTEE.

Committee Room,
March 6, 1886.

Mr. Speaker:

Your Committee of Conference on H. F. No. 29, a bill regulating the branding, herding, and care of stock, beg to report that we have met with the Council Committee, considered the matters in dispute, and have agreed to recommend that the House agree to all the Council amendments except the words "wilfully and" in Section 2, and also agree that the following be added to the Council amendment to Section 5 "to the number of five head at any one time, and for each animal in excess of five head, ten cents."

Respectfully,

JOSEPH KIMBALL,

Chairman.

Adopted.

Committee Room,
March 6, 1886.

Mr. Speaker:

Your Committee of Conference appointed to confer with like committee of the Council on the latter's amendments to House file 55, providing for an official court reporter, beg leave to report that an agreement has been reached by which the Council recedes from its amendment.

CANNON,
Chairman of House Committee.

MESSAGES FROM THE COUNCIL.

Council Chamber,
March 6, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed :

H. F. 71, mining claims, without amendment; H. F. 75, amending the Penal Code, with amendments; same are now forwarded for appropriate action.

The Council has appointed Councilors Sharp, Francis and Hammond as conferees on the part of the Council in reference to H. F. 59, court reporters.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

H. F. 71 sent to the Committee on Enrollment.
Council amendments to H. F. 75 concurred in.

Council Chamber,
March 6, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day adopted report of Conference Committee in reference to H. F. 59, court reporters, and receded from its amendment thereto; the bill is herewith returned.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Council Chamber,
March 6, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day adopted report of Conference Committee in reference to H. F. 29, stock bill, and agreed to the amendments recommended therein.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

THIRD READING OF BILLS (CONTINUED).

H. F. 68, a bill to suppress and prevent the dissemination of contagious and infectious diseases among stock, etc.

Referred to the Committee on Live Stock.

H. F. 76, a bill amending 160 and 163 of the Compiled Laws of Utah.

Read third time and passed.

Ayes—Clark, Creer, Cannon, Farnsworth, Howell, King, Kimball, Lund, Rider, Stuart, Smoot, Stratford, Thurber, Woolley, Young—14.

Noes—Hatch, Houston, McLaughlin, Smoot, Thurman—5.

Absent—McCullough, Anderson, Baty—3.

In the Chair—West—1.

Title approved.

H. F. 77, a bill to lessen the terms of sentence of convicts for good conduct.

Read the third time and passed.

Ayes—Clark, Creer, Cannon, Farnsworth, Hatch, Houston, Howell, Kimball, Lund, Rider, Stuart, Smoot, Stratford, Thurber, Thurman, Woolley, McLaughlin, Young—18.

Noes—0.

Absent—King, McCullough, Baty, Anderson—4.

In the Chair—West—1.

Title approved.

MISCELLANEOUS.

By permission, Mr. Rider presented a resolution,

accompanied by a petition, asking that certain appropriations be made to aid the silk industry in this Territory.

Referred to the Committee on Manufactures and Commerce.

Mr. Thurman, by permission, presented a petition from N. W. Clayton, Territorial Auditor, asking for an appropriation to reimburse him for money paid to office clerks during the years 1883-4-5.

Referred to the Committee on Claims and Public Accounts.

By permission, Mr. Cannon presented a petition from James Jack, Territorial Treasurer, asking that the salary which he has received during his incumbency as Territorial Treasurer be augmented by appropriation.

Referred to the Committee on Claims and Public Accounts.

Mr. Creer moved that when this House adjourn it be until Monday, the 8th inst., at 10 a. m.

Carried.

Mr. Young was excused for non-attendance on the 5th inst.

REGULAR ORDER—REPORTS OF STANDING COMMITTEES.

By the Committee on Education :

Committee Room,
March 6, 1886.

Mr. Speaker:

Your Committee on Education, to whom was referred House concurrent resolution No. 22, in relation to the distribution of the reports of the Territorial Superintendent of District Schools and the Chancellor and Board of Regents of the University of Deseret, beg leave to report the same back amended and recommend that as amended the resolution pass.

CANNON,
Chairman.

Adopted.

By the Committee on Penitentiary and Reform School :

Committee Room,
March 6, 1886.

Mr. Speaker:

Your Committee on Penitentiary and Reform School, to whom was recommitted H. F. 64, a bill providing for the removal of insane convicts to the Territorial Insane Asylum, beg leave to report that they have had the said bill under consideration, and recommend that the accompanying amendments be made to it.

Respectfully,

A. H. LUND,
Chairman.

Proposed amendments filed with bill.

INTRODUCTION AND FIRST READING OF BILLS.
(BY PERMISSION.)

By Mr. Creer—H. F. No. 78, a bill to authorize the incorporation of companies for the construction of union railroad stations and depots, with the necessary connecting tracks, and for the management of the same.

Read first and second times, by its title, and ordered printed.

SPECIAL ORDER.

Substitute for C. F. No. 24, a bill to incorporate Nephi City, in Juab County.

Read third time, amended, and passed.

Ayes—Clark, Creer, Cannon, Farnsworth, Hatch, Houston, Howell, King, Kimball, Lund, Rider, Stuart, Stratford, Smoot, Thurman, Thurber, Wooley, Young, McLaughlin—19.

Noes—0.

Absent—Baty, McCullough, Anderson—3.

In the Chair—West—1.

Title approved.

Mr. Clark, by permission, presented a petition from the Executive Committee of the Utah Cattle and Horse Growers' Association.

Referred to the Committee on Live Stock, without reading.

MESSAGE FROM THE COUNCIL.

Council Chamber.

March 6, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council concurs in all House amendments to H. F. 67, general appropriation bill, except:

In the striking out of item numbered 62, "Samuel Cazier, \$476.39."

In the striking out of item 67, "*Deseret News Company*, \$53.00."

In both of which amendments the Council does not concur.

The Council has further amended said bill by adding thereto items numbered 80 and 81, and herewith returns the bill for your further action.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

House insisted in its amendments to H. F. 67, and the Speaker appointed Messrs. King, Rider and Smoot, a Committee on Conference.

On motion of Mr. Cannon, the House took a recess until 7:30 p. m.

7:30 p. m.

MESSAGE FROM THE COUNCIL.

Council Chamber,

March 6, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council grants House request for Committee o

Conference relative to appropriation to Samuel Cazier, for capture of Moss brothers, in H. F. 67, general appropriation bill, and has appointed Councilors Grover, Page and Sharp as conferees on the part of the Council.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

Council Chamber,
March 6, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has concurred in House amendments to C. F. 24, Nephi City charter, and said bill has been referred for enrollment.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

Council Chamber,
March 6, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day concurred in the adoption of H. C. R. 22, providing for the distribution of printed reports of the Chancellor and Board of Regents, and same is now returned.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

REPORT OF ENROLLMENT COMMITTEE (BY UNANIMOUS
CONSENT).

Committee Room,
March 6, 1886.

Mr. Speaker:

Your Committee on Enrollment respectfully report that H. F. No. 32, an Act amending an Act incorporating the city of Smithfield,

H. F. No. 63, an Act amending an Act to incorporate Ogden City; and

H. F. No. 65, an Act amending Chapter X. of the Laws of Utah, 1884, have been correctly enrolled, and this day forwarded to the Governor for his approval.

Respectfully, etc.,

Jos. A. WEST,
Chairman.

REPORTS OF STANDING COMMITTEES.

By the Committee on Counties:

Committee Room,
March 6, 1886.

Mr. Speaker:

Your Committee on Counties, to whom was referred financial statements of the following named counties: Salt Lake, Utah, Wasatch, Uintah, Summit, Rich, Morgan, Millard, Emery, Weber, Juab, Tooele, Washington, Iron, Davis, Cache, Box Elder, Garfield, Kane, San Juan, Beaver, Piute, Sanpete and Sevier Counties, report that we have carefully examined the above reports, and find that with one slight exception they are correct, and return the same back, and recommend that said reports be printed in the Journal.

HATCH,
Chairman.

Adopted.

Committee Room,
March 6, 1886.

Mr. Speaker:

Your Committee on Counties, to whom was referred reports of County Clerks in regard to expenditure of moneys appropriated for the construction of roads and bridges in the following counties, viz: Wasatch, Sanpete, Morgan, Sevier and Summit counties, report that we have considered said reports and find that the above named counties have expended the amounts appropriated to them, and have fully complied with the

requirements of the Legislature requiring said counties to furnish certain amounts.

HATCH,
Chairman.

Adopted.

By the Committee on Claims and Public Accounts:

Committee Room
March 6, 1886.

Mr. Speaker:

Your Committee on Claims and Public Accounts, to whom was referred the petition of John Snowball, Assessor and Collector of Rich County, Utah, asking for relief for unpaid taxes in the year 1885, have carefully considered the same, and recommend that \$50.65, the amount asked for, be allowed and appropriated.

THURMAN,
Chairman.

Adopted.

Mr. Thurman, Chairman of the Committee on Municipal Corporations and Towns, reported favorably on H. F. No. 66, amending the Charter of Lehi City, and the bill was ordered printed; also favorably on C. F. 41, amending the city charter of Logan City, and the bill was filed.

Mr. Thurman, Chairman of the Committee on Claims and Public Accounts, reported favorably on the following matters, and the items were ordered placed upon the general appropriation bill. A. C. Emerson, clerk of the Second District, for official services, \$549.45, John L. Brasher, ex-Assessor and Collector of Emery County, for uncollectable taxes, \$79.21. John Snowball, Assessor and Collector of Rich County, for uncollectable taxes, \$50.65. John D. Killpack, Assessor and Collector of Emery County, for uncollectable taxes, \$44.95.

REPORT OF CONFERENCE COMMITTEE.

Mr. Speaker:

Your Committee on Conference appointed to con-

sider the matter of difference to the Council amendment to the appropriation bill, allowing \$476.79 to Samuel Kazier, respectfully report that we recommend the House to recede.

RIDER,
Chairman.

Adopted.

By the Committee on Printing:

Mr. Speaker:

Your Committee on Printing respectfully report that we have examined the bill of the *Deseret News* for printing, and recommend the amount be placed in the appropriation bill.

RIDER.
Chairman.

Adopted.

Mr. Smoot moved that the general appropriation bill be amended by adding \$10,000, to be drawn by the Board of Directors of the Territorial Insane Asylum, and be used by them for the purpose of buying land, etc.

Read and referred to the Committee on Claims and Public Accounts.

By the Committee on Claims and Public Accounts:

Committee Room,
March 6, 1886.

Mr. Speaker:

Your Committee on Claims and Public Accounts, to whom was referred the claim of the Territorial Insane Asylum, asking for an appropriation of \$10,000, recommend that the amount be appropriated to be expended as follows, to-wit:

For the Territorial Insane Asylum for the years 1886 and 1887, one-half to be drawn and expended each year under the direction of the Board of Directors, for Territorial portion of the care and maintenance of the

inmates, salaries of officers, attendants and employes, the sum of \$20,000.

For the Territorial Insane Asylum for the years 1886 and 1887, one-half to be drawn and expended each year under the direction of the Board of Directors, for contingent expenses, the sum of \$5,000.

For the Territorial Insane Asylum for the purchase of land adjoining the present site the sum of \$5,000, and the Board of Directors are hereby authorized and empowered to purchase the same, and take a deed or deeds therefor.

THURMAN,
Chairman.

Adopted.

Ayes—Creer, Clark, Farnsworth, Hatch, Houston, King, Lund, McLaughlin, Rider, Stuart, Smoot, Thurber, Thurman, Young—14.

Noes—Cannon, Howell, Kimball—3.

H. F. 67, a bill making appropriations for general purposes.

Further amended and passed.

Ayes—Clark, Creer, Cannon, Farnsworth, Hatch, Houston, Howell, King, Kimball, Lund, Rider, Stuart, Smoot, Thurber, Thurman, Young—16.

Noes—McLaughlin—1.

Absent—Anderson, Baty, McCullough, Stratford, Woolley, West—6.

Title approved.

MESSAGE FROM THE COUNCIL.

Council Chamber,
March 6, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed H. F. 77, to lessen the terms of sentence of convicts for good conduct, with two amendments, and same is now returned for your action on said amendments.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Council amendments concurred in, and bill sent to the Committee on Enrollment.

SECOND READING OF BILLS.

C. F. No. 41, a bill amending an Act to incorporate Logan City.

Read second time.

Read third time by its title, under a suspension of the rules and passed.

Ayes—Clark, Creer, Cannon, Farnsworth, Houston, Howell, King, Kimball, Lund, McLaughlin, Rider, Stuart, Thurber, Thurman, Young—15.

Noes—0.

Absent—Anderson, Baty Hatch, McCullough, Stratford, Smoot, Woolley, West—8.

Title approved.

THIRD READING OF BILLS.

H. F. 64, a bill providing for the removal of insane convicts to the Territorial Insane Asylum.

Amended, read third time and passed.

Ayes—Clark, Cannon, Farnsworth, Houston, Hatch, Howell, King, Kimball, Lund, McLaughlin, Rider, Stuart, Smoot, Thurber, Thurman, Young—16.

Noes—0.

Absent—Anderson, Baty, Creer, McCullough, Stratford, Woolley, West—7.

Title approved.

MESSAGES FROM THE COUNCIL.

Council Chamber,
March 6, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day concurred in House amendment to C. F. 41, amending the charter of Logan City, and said bill has been referred for enrollment.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Council Chamber,
March 6, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day concurred in House additions made to H. F. 76, general appropriation bill, and has further amended said bill, which is now returned for your further action.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

House concurred in Council amendment to H. F. 67.
On motion of Mr. King, the House, at 10:10 p. m.,
adjourned until Monday at 10 o'clock a. m.
Benediction by W. H. King.

FIFTY-SEVENTH DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Monday, March 8, 1886.

10 a. m.

House met pursuant to adjournment.
Speaker in the chair.
Roll called—quorum present.
Prayer by the Chaplain.
Journal of Saturday read, amended and approved.

MESSAGE FROM THE COUNCIL.

Council Chamber,
March 8, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day rejected H. F. 76, amending

Sections 160 and 163 of the Compiled Laws, and same is herewith returned.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

SPECIAL ORDER.

H. F. 73, a bill amending Chapter II., Title III, Compiled Laws of 1876.

Bill lost.

Ayes—Creer, Hatch, Kimball, Lund, McLaughlin, Rider, Stuart, Smoot, Thurber, Thurman—10.

Noes—Cannon, Howell, King, Houston, McCullough, Woolley, Stratford, Young, Clark, Farnsworth—10.

Absent—West, Baty, Anderson—3.

At 11 a. m. the House took a recess until 2 p. m.

At 2 p. m. the Speaker called for order, and the House resumed session.

MESSAGE FROM THE COUNCIL.

Council Chamber,
March 8, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day rejected substitute for H. F. 40, further providing for the punishment of sexual crimes, and same is herewith returned.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

COMMUNICATION FROM THE TERRITORIAL AUDITOR OF
PUBLIC ACCOUNTS.Office of Auditor of Public Accounts,
Salt Lake City, March 8, 1886.*The Honorable, the Legislative Assembly of the Territory
of Utah:*

GENTLEMEN:—I desire to call your attention to the cancelled Auditor's warrants left in the Auditor's office by your committee on examination of the Auditor's and Treasurer's accounts. These warrants are perfectly worthless, and the custom has always been to destroy them, as soon as found correct, and the corresponding stubs had been marked cancelled. This is also the rule in the States and Territory, I am told. The Auditor has no place to keep them safely, and it seems to me unwise to require him to preserve a lot of worthless paper, which, if lost, would have to be replaced by him at any cost. Your action is respectfully asked in relation thereto.

Very respectfully,

N. W. CLAYTON,
Auditor of Public Accounts.

Mr. Clark moved, the Council concurring, that a committee to consist of two members from the House, and one from the Council, be appointed to examine and destroy obsolete Auditor's warrants, as per the request of the Auditor's communication.

Adopted, and the Speaker appointed Messrs. Howell and Stuart a committee to act in behalf of the House.

MESSAGE FROM THE COUNCIL.

Council Chamber,
March 8, 1886.*Mr. Speaker:*

I am directed to inform your honorable body that the Council has this day passed H. F. 60, district school

bill, with amendments, and same is herewith forwarded for your action on said amendments.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

Council amendments to H. F. 60, concurred in, and the bill sent to Committee on Enrollment.

SECOND READING OF BILLS.

H. F. 66, a bill amending an Act to incorporate the city of Lehi, approved Feb. 5, 1852.

Amended and read second time.

Read third time by its title, under a suspension of the rules and passed.

Ayes—Baty, Clark, Creer, Farnsworth, Hatch, Houston, Howell, King, Kimball, Lund, Rider, Stratford, Stuart, Smoot, Thurber, Thurman, McCullough, McLaughlin, Woolley, Young—20.

Noes—0.

Absent—Anderson, Cannon, West—3.

Title amended.

MISCELLANEOUS.

H. F. 67, the general appropriation bill was amended as follows:

By adding thereto \$1,000 to reimburse Utah County for rent of Court House for the first Judicial District Court, from June 30th, 1884, to July 1st, 1886.

Also \$1,000 to Uintah County for the construction of a bridge across Uintah River, to be drawn and expended under the direction of the County Court of said county; *Provided*, Said county expend the sum of \$500 additional for the above purpose.

Also, by striking out the item (No. 62) appropriating \$476.39 to Samuel Cazier for capturing Moss Brothers.

By permission, Mr. Smoot introduced a bill, H. F. 79, to amend an Act incorporating Provo City.

Read by its title, and referred to the Committee on Municipal Corporations and Towns.

COMMUNICATIONS FROM THE GOVERNOR.

Territory of Utah,
Executive Office,
Salt Lake City, March 8, 1886. }

Hon. W. W. Riter, Speaker, House Representatives:

SIR:—I return herewith H. F. No. 62, without my approval.

Upon representations to me and by letter and petition of citizens of Emery County, I am of opinion that the least interests of the Territory and especially the interests of the citizens of Emery County are best subserved by allowing the county lines to remain as they are now defined.

I am, very respectfully,
ELI H. MURRAY,
Governor.

Ordered spread upon the minutes, and transmitted to the Council for its information.

Territory of Utah,
Executive Office,
Salt Lake City, March 8, 1886. }

Hon. W. W. Riter, Speaker:

I herewith return H. F. No. 32.

The right to regulate the speed of locomotives within the city limits is proper. The right "to regulate the use of locomotives therein," as appears in Section 19, is wrong.

The authority granted in Section 22 for the City Council to borrow money, the interest of which may go to the extent of one-fourth of the city revenue for the previous year without even a restriction against increased taxation, seems too extended. "Annual" should precede the word "interest" in this section.

In Section 25, the word "malconduct" is too indefinite to admit of anything like uniformity of construction by the City Council or the courts.

Section 27 presents a strong case of what is termed "over legislation." It is quite proper for the City Council to prevent a breach of the peace or other public offense at balls and public dances, as elsewhere, but it is clearly wrong to give them, by Territorial statute, authority to regulate the order of exercises and kind of dances, and who may or may not dance at a ball, as this bill does.

I am, very respectfully,

ELI H. MURRAY,
Governor.

Ordered spread upon the minutes, and transmitted to the Council for its information.

On motion of Mr. Howell, the bill, H. F. No. 32, with the Governor's objections, was recommitted to the Committee on Municipal Corporations and Towns.

Territory of Utah,
Executive Office,
Salt Lake City, March 8, 1886. }

Hon. W. W. Riter, Speaker House Representatives:

SIR:—I herewith return H. F. No. 63, without my approval. It is entitled, "An Act amending an Act to incorporate Ogden City.

This bill proposes to deal with a class of offenses which should be provided for by general statute, applicable to the entire community. It has been a crying evil in this Territory that the Legislature has forbore to exercise its lawful authority on needed subjects of legislation, and has undertaken, in many instances, to confer power on local municipal organizations to deal with the same subjects.

Acts regulating the conduct of the sexes towards one another are of vital importance in every Territory, State and Nation. They are peculiar to no district, Territory or clime. They affect the welfare, the social happiness, the reputation of every community in the civilized world.

The character of any community for order, elevation and decency, may be judged of by the laws that

exist in it for the suppression of vice, the protection of chastity, the preservation of the morals and purity of its social condition. Weighed in this standard, the social condition in Utah is not such as gives her a very elevated place.

This bill is one evidence that legislation is needed, but an authority to permit the city of Ogden to do what the Territory of Utah ought to do, even if it were ever so well confirmed, would be only an acknowledgment of the duty, without performing it. If such practices may be punished in the restricted limits of Ogden, they should equally be offensive on the Sand Ridge adjoining, and the thousands of square miles which constitute the Territory. If a law on a general subject is good, why not give the Territory the benefit of it? If bad, it should not affect even one little locality. This proposed bill does not go far enough in dealing with the offenses it proposes to allow the city of Ogden to punish. It leaves the crime incest, seduction, bastardy, adultery, enticing and alluring women to be victims of unlawful sexual intercourse, or to visit houses or rooms of prostitution, and other like offenses, untouched, without any prohibition, and touches those it creates in a crude and indefinite way. I am opposed to leaving to city incorporations only the power to deal with offenses of this class. They are not petty, trifling offenses, but are vital crimes, affecting the very constitution of society. They should be dealt with in a way to strike at all evils of the kind, and enable the social state which is attacked by them to defend itself fully and thoroughly, not by ordinances enforced through petty municipal courts, but by the strong mailed hand of the courts of general jurisdiction.

While lust can blight the whole Territory without finding any rebuke at the hands of the Legislature, the attempt to confer power on a municipal corporation to punish local transgression against morality, in the indefinite, inadequate and inoperative way done in this bill, cannot have my sanction.

I am, very respectfully,

ELI H. MURRAY,

Governor.

Ordered spread upon the minutes, and transmitted to the Council for its information.

Territory of Utah,
Executive Office,
Salt Lake City, March 8, 1886. }

Hon. W. W. Riter, Speaker, House Representatives:

SIR:—I herewith return without my approval, H. F. No. 57.

If this is a proper basis of representation, it is then clear that the boundaries of three-fourths of the counties of the Territory should be changed. The fundamental principle of fair apportionment is overlooked in this important measure.

In the very first representative district created by this bill, Summit County, which is entitled to one representative, is divided. A number of the precincts of this county are joined with Rich and Morgan Counties, is a district running far to the north; this is certainly wrong.

What is true of district No. 1, is equally true of district No. 2. In this district the remainder of Summit County is joined with the counties of Wasatch and Uintah, running far to the east.

By this means one of the greatest wealth producing and most thriving cities of the Territory and of the West, is deprived of a voice and place in the general assembly of the Territory.

A number of other misjoinders are apparent in the bill, and for these reasons I am unable to give it executive approval.

I am, very respectfully,
ELI H. MURRAY,
Governor.

Ordered spread upon the minutes, and transmitted to the Council for its information.

MESSAGE FROM THE COUNCIL.

Council Chamber,
March 8, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has concurred in the adoption of H. C. Resolution authorizing the destruction of redeemed and canceled Auditor's warrants and the appointment of a committee to destroy the same, and has appointed Councilors Francis and Slack on the part of the Council; the Auditor's communication is herewith returned.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

REPORT OF CONFERENCE COMMITTEE.

Committee Room,
March 8, 1886.

Mr. Speaker:

Your Committee of Conference, on substitute for H. F.'s 5, 23 and 37, and C. F.'s 12, 23 and 30, have met with the Council committee and considered the matters in dispute, and have agreed to recommend that the House agree to all the Council amendments to said bill.

STRATFORD,
Chairman.

Adopted.

By the Committee on Live Stock:

Committee Room,
March 8, 1886.

Mr. Speaker:

Your Committee on Live Stock, to whom was referred C. F. No. 39 and H. F. No. 68, having duly considered them, report that the provisions of the former are fully incorporated in the latter. We therefore report

adversely upon said C. F. No. 39, and recommend the passage of H. F. No. 68 with the annexed amendments.

Respectfully,

KIMBALL,
Chairman.

Adopted.

By the Committee on Manufactures and Commerce:

Committee Room,
March 8, 1886.

Mr. Speaker:

Your Committee on Manufactures and Commerce, to whom was referred petition No. 72, asking for an appropriation of \$1,500 to encourage the growth and manufacture of silk, beg leave to report that owing to the lateness of the session, and lack of necessary information on the subject, we recommend that the petition be not granted.

STUART,
Chairman.

Adopted.

By the Committee on Municipal Corporations and Towns:

Committee Room,
March 8, 1886.

Mr. Speaker:

Your Committee on Municipal Corporations and Towns, to whom was referred petition of citizens of Fairview and bill amending charter of said city, herewith report a substitute for said bill and recommend that it be put on its passage.

THURMAN,
Chairman.

Report adopted, and the substitute read first and second times by its title, and placed on general file.

Committee Room,
March 8, 1886.

Mr. Speaker:

Your Committee on Municipal Corporations, to whom was referred a petition signed by 207 citizens of Mount Pleasant, Sanpete County, asking to have their charter amended as per accompanying bill, beg leave to report that they have considered the same, and recommend that the following amendment be made to the bill, and it be put upon its passage.

Respectfully,
THURMAN,
Chairman.

Bill read first and second times, by its title, and filed.

Mr. West presented the following :

I move that the Council be invited to meet with the House in joint session for the purpose of electing such Territorial officers as are by law to be elected by the joint vote of the Legislative Assembly.

Carried.

Committee Room,
March 8, 1886.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred for enrollment H. F. No. 59, an Act providing for the appointment of official reporters.

H. F. No. 29, an Act regulating the branding, herding and care of stock, etc., also H. F. No. 77, an Act to lessen the terms of sentence of convicts, etc., have been correctly enrolled and this day forwarded to the Governor for approval.

Respectfully,
Jos. A. WEST,
Chairman.

Committee Room,
March 8, 1886.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred for enrollment H. F. No. 71, an Act pertaining to the location of mining claims, and H. F. No. 75, an Act amending Section 278, Chapter V., of the Penal Code, have been correctly enrolled, and this day forwarded to the Governor for approval.

Respectfully,

Jos. A. WEST.
Chairman.

MESSAGE FROM THE COUNCIL.

Council Chamber,
March 8, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council accepts the request of the House to meet the Council in joint session, and named 5 o'clock p. m. of this day as the time for said joint session.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

REPORT OF COMMITTEE ON COUNTIES.

Committee Room,
March 8, 1886.

Mr. Speaker:

The Committee on Counties, to whom was referred substitute for C. F. 2, have had the same under consideration, and recommend that the bill, with amendments, be put upon its passage.

Hatch and Stratford, Favor of the bill.

Farnsworth, Thurber and Young, Dissenting.

Report received and filed with bill.

The Council having entered in response to Mr. West's resolution, the Assembly, at 5 p. m., went into joint session.

[See Joint Session Minutes, Council Journal, page 243.]

5:30 p. m.

House resumed session.

Council Chamber,
March 8, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has adopted report of Conference Committee relative to item in general appropriation bill allowing Samuel Cazier, \$476.39, and now adheres to the insertion of that item in said bill.

The Council has stricken out item numbered 88, and inserted in lieu thereof item numbered 91, "Territorial Insane Asylum," and has also stricken out item numbered 90, "Uintah County;" all other House amendments are concurred in, and the bill as amended passed, and is now returned.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Pending consideration of Council Message, the House, at 5:40 p. m., on motion of Mr. Clark, adjourned until to-morrow morning at 10 o'clock.

Benediction by the Chaplain.

FIFTY-EIGHTH DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Tuesday, March 9, 1886.

10 a. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll call—quorum present.

Prayer by the Chaplain.

Reading of Monday's Journal postponed until to-morrow.

UNFINISHED BUSINESS.

Consideration of Council amendments to H. F. 67, a bill making appropriations for general purposes.

On motion of Mr. King, the House insisted on its objections to the Samuel Cazier item, and the Speaker appointed Messrs. Farnsworth, Thurman and McLaughlin a Committee on Conference.

House concurred in Council amendment by which \$25,000 for the Territorial Insane Asylum, etc., was inserted in lieu of \$30,000.

On motion of Mr. West, the phraseology of the item in the general appropriation bill granting \$1,000 to build a road in Weber Cañyon; to be drawn and expended under the direction of the County Court of Davis County, be changed by inserting Weber County in lieu of Davis County.

MESSAGE FROM THE COUNCIL.

Council Chamber,
March 8, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed H. F. 66, amending an Act to incorporate Lehi City, with amendments, and

said bill is returned for your action on said amendments.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Council amendments concurred in, and bill sent to Enrollment Committee.

REGULAR ORDER—SECOND READING OF BILLS.

Substitute for C. F. 2, a bill amending 148 and 150 of the Compiled Laws of Utah.

Amended, and read second time.

Read third time by its title, under a suspension of the rules, and lost.

Ayes—Baty, Clark, Farnsworth, Howell, Straford,
—5.

Noes—King, Creer, Cannon, Anderson, Houston, Kimball, McCullough, McLaughlin, Rider, Stuart, Smoot, Thurber, Woolley, West, Young—16.

Absent—Thurman, Hatch—2.

THIRD READING OF BILLS.

H. F. 78, a bill to authorize the incorporation of companies for the construction of union railway stations and depots, with the necessary connecting tracks, and for the management of the same.

Amended, and, pending consideration, the bill was temporarily laid on the table.

MESSAGE FROM THE COUNCIL.

Council Chamber,
March 9, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has taken the following action in relation to H. F. 67, general appropriation bill.

It recedes from its former action in striking out item numbered 90, "for \$1,000 to build a bridge across

Uintah river," and concurs in the action of the House, in reinserting the same with change of phraseology.

Concurs in the amendments to the phraseology of item numbered 72, "Weber County appropriation."

Adds item numbered 92, "for payment of witnesses and jurors, etc., \$40,000."

Strikes out item numbered 9, "for witnesses, etc., \$20,000, and inserts in lieu new item, "for messenger and expenses of the Executive office, etc., \$2,000."

Adheres to the item of Samuel Cazier, \$476.39, respectfully calls the attention of the House to the action of both houses, to be found in the journal adopting report of Conference Committee in relation thereto, and asks further information concerning the same; said bill as amended has been passed, and is now forwarded for your further action.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

Mr. Howell moved that the ayes and noes be called on the question to insert the sum of \$40,000 for the payment of witnesses and jurors in Territorial criminal cases, during the years 1886 and 1887, instead of \$20,000 for witnesses alone. The roll was called, and stood as follows:

Ayes—Anderson, Baty, Clark, Houston, Howell, Kimball, Lund, McCullough, McLaughlin, Rider, Stratford, Stuart, Woolley, West, Young—15.

Noes—Creer, Cannon, Farnsworth, King, Smoot, Thurber, Thurman—7.

The request for a Conference Committee from the Council to consider matters of difference regarding the claim of Samuel Cazier, and other items, was again made, and the Speaker appointed Messrs. Thurman, West and Cannon to act in behalf of the House.

The Speaker announced that on account of sickness in his family, he would probably be unable to be present at the commencement of the afternoon session. He appointed Mr. West to take the chair in his absence.

At 12 o'clock m. the House took a recess until 2 p. m.

At 2 p. m. the Speaker called for order, and the House resumed session.

THIRD READING OF BILLS (CONTINUED).

H. F. 78, a bill to authorize the incorporation of companies for the construction of union railroad stations and depots with the necessary connecting tracks, and for the management of the same.

Bill further amended, and pending consideration was temporarily laid on the table.

MESSAGE FROM THE COUNCIL.

Council Chamber,
March 9, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has taken the following action in regard to H. F. 67, general appropriation bill :

Concurs in striking out item numbered 9, "for messenger and expenses of the Executive office, \$2,000," in so far as the amount allowed therefor is concerned, and makes said amount read \$2,250.

Grants request of House for Conference Committee relative to the points of difference involved respecting parliamentary practice pertaining to conference reports, with the understanding that said Conference Committee be authorized to consider this matter only. The Council has appointed Councilors Hammond, Barton and Slack as conferees.

Said bill, as amended, has again been passed, and is returned for your further action.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Council amendments to H. F. 67 concurred in.

The House instructed its Committee on Conference to limit their deliberations to the parliamentary practice on conference reports, in conformity with the communication of the Council.

REPORT OF COMMITTEE ON LIVE STOCK (BY PERMISSION).

Committee Room,
March 9, 1886.

Mr. Speaker:

Your Committee on Live Stock, to whom was referred the petition of Executive Committee of the Utah Cattle and Horse Grower's Association, after due consideration report favorably, and recommend that the amount asked for be appropriated.

Respectfully,
JOSEPH KIMBALL,
Chairman.

Report rejected.

Messrs. Thurman, West and Cannon were excused from the Committee on Conference, and the Speaker appointed Messrs. Stratford, Farnsworth and Howell to act in their stead.

MESSAGE FROM THE COUNCIL.

Council Chamber,
March 9, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council on March 8, received a message from His Excellency the Governor, making certain suggestions in regard to C. F. 34, an Act amending an Act relating to fire insurance companies, approved March 13, 1884, which said message was referred to the Committee on Private Corporations. Said committee has this day reported back an amendment in accordance with the suggestions of His Excellency the Governor, and said bill has been passed as amended, and is now forwarded to you for your action on said amendment. The communication of His Excellency upon which said action is based, is also forwarded.

The Council; on March 8, received also a message from His Excellency the Governor, making suggestions in regard to C. F. 6, an Act amending Section 5, Chapter

XXV., Laws of Utah, 1884, which was also referred to a committee; but was this day reported back without recommendation. Said communication of His Excellency is also forwarded for your information.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

Bill read first and second times by its title.

Read third time, under a suspension of the rules and passed.

Ayes—Anderson, Baty, Creer, Cannon, King, Kimball, Lund, McCullough, McLaughlin, Rider, Stuart, Smoot, Thurber, Thurman, Stratford—15.

Noes—Farnsworth, Woolley—2.

Absent—Clark, Young, Houston, Hatch, Howell—5.

In the Chair—West—1.

Title approved.

Mr. Thurman, chairman of Committee on Claims and Public Accounts, moved that the sum of \$3,000 be incorporated in the general appropriation bill to reimburse Nephi W. Clayton for money paid by him for clerk hire in the Auditor's office during past four years.

Carried.

Mr. Thurman moved that the salary of the Auditor of Public Accounts be fixed at \$2,250 per annum.

Carried.

Mr. King moved that the salary of the Territorial Treasurer be fixed at \$1,000 per annum.

Carried.

Mr. Clark moved that the sum of \$500 be allowed the Treasurer for deficiencies in salary for the past two years, and that same be incorporated in the general appropriation bill.

Adopted.

REPORT OF CONFERENCE COMMITTEE.

Committee Room,
March 9, 1886.

Mr. Speaker:

Your Committee of Conference, on the point of

order as to the right of either House to reconsider a Conference Committee report duly adopted, beg leave to report that to reconsider a question agreed to by a Conference Committee, and subsequently adopted by both houses, the consent of both houses must be obtained.

STRATFORD,
JOS. HOWELL.

Farnsworth dissents.

Adopted.

Mr. Smoot moved that the Council be requested to reconsider the vote by which it adhered to the Cazier item in the appropriation bill.

Mr. King moved that a committee on conference be appointed.

Carried, and the Speaker appointed Messrs. Cannon, Stuart and Kimball.

MESSAGE FROM THE COUNCIL.

Council Chamber,
March 9, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed H. F. 64, insane convicts, with amendments, and is now forwarded for your action upon said amendments.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Council amendments to H. F. 64 concurred in.

THIRD READING OF BILLS.

H. F. No. 78, a bill authorizing the establishment of union railroad stations and depots.

Consideration resumed.

Made special order for to-morrow.

H. F. No. 68, a bill to suppress and prevent the

dissemination of infectious and contagious diseases among stock, etc.

Pending consideration, the bill was laid on the table.

MESSAGE FROM THE COUNCIL.

Council Chamber,
March 9, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has just taken action on H. F. 67, general appropriation bill, as follows:

Concurs in the two additions made thereto by the House for back pay for Auditor and Treasurer.

Respecting the Cazier item, the Council, at the request of the House, has reconsidered the action by which it adopted the report of Conference Committee of the 6th inst., rejected said report, stricken the Cazier item from the bill, and the Council submits that a Conference Committee on the subject is not now necessary.

Said bill as amended has been passed, and is now forwarded for your further action.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

The Committee on Conference was excused.

H. F. No. 67, a bill making appropriations for general purposes.

Further amended and passed.

Ayes—Anderson, Baty, Clark, Creer, Farnsworth, Hatch, Houston, Howell, King, Kimball, Lund, McCullough, Rider, Stratford, Stuart, Smoot, Thurber, Thurman, Woolley—19.

Noes—McLaughlin—1.

Absent—Cannon, Young—2.

In the Chair—West—1.

Title approved.

REPORT OF COMMITTEE ON MUNICIPAL CORPORATIONS AND
TOWNS (BY PERMISSION).Committee Room,
March 9, 1886.*Mr. Speaker:*

The Committee on Municipal Corporations and Towns, to whom was referred H. F. 79, report herewith a substitute therefor, and that it be put on its passage.

Also said committee report back C. F. 40, and recommend that Section 12 be amended by striking out in line 25, all after the word "regulated," and before the word "auctioneers," and that said bill as amended be put on its passage.

THURMAN,
Chairman.

C. F. 40 read second time, by its title, and filed for third reading.

On motion of Mr. King, the House, at 5:20 p. m., adjourned until to-morrow, at 10 o'clock a. m.

Benediction by the Chaplain.

FIFTY-NINTH DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Wednesday, March 10, 1886.

10 a. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Minute Clerk ordered to check up and correct any irregularities in Monday's Journal.

Journal of Tuesday read, amended and approved.

UNFINISHED BUSINESS—REPORTS OF COMMITTEES.

By the Committee on Enrollment:

Committee Room,
March 9, 1886.

Mr. Speaker:

Your Committee on Enrollment, to whom was referred for enrollment H. F. No. 60, an Act amending an Act providing for the establishment of district schools, and H. F. No. 66, an Act amending an Act incorporating the City of Lehi, have been correctly enrolled, and this day forwarded to the Governor for his action thereon.

Respectfully, etc.,
JOS. A. WEST,
Chairman.

MESSAGE FROM THE COUNCIL.

Council Chamber,
March 9, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day concurred in House amendments to C. F. 34, insurance companies (which was previously received back from His Excellency the Governor with certain suggestions), and said bill has been reported for re-enrollment.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

THIRD READING OF BILLS.

H. F. No. 68, a bill to suppress and prevent the dissemination of contagious and infectious diseases among domestic animals, and to provide for a Territorial veterinarian.

Further amended and passed.

Ayes—Creer, Farnsworth, Houston, Howell, King

Kimball, McCullough, McLaughlin, Rider, Smoot, Thurber, Woolley—12.

Noes—Anderson, Baty, Hatch, Stratford, Stuart, Young—6.

Absent—Clark, Cannon, Lund, Thurman, West—5.

The Speaker cast his vote in favor of the ayes.

Title approved.

H. F. 80, a bill to amend an Act incorporating the city of Fairview, in Sanpete County.

Read the third time and passed.

Ayes—Anderson, Creer, Farnsworth, Houston, Howell, King, Kimball, McCullough, McLaughlin, Rider, Stratford, Smoot, Stuart, Thurber, Young—15.

Noes—0.

Absent—Hatch, Cannon, Thurman, Baty, Woolley, West, Clark, Lund—8.

Title amended and approved.

H. F. 81—An Act to amend an Act incorporating the city of Mt. Pleasant, in Sanpete County.

Read third time, amended and passed.

Ayes—Anderson, Clark, Creer, Hatch, Howell, King, Kimball, McCullough, McLaughlin, Rider, Stratford, Stuart, Smoot, Thurber, Woolley, Baty—16.

Noes—0.

Absent—Cannon, Thurman, West, Young, Houston, Lund, Farnsworth—7.

Title amended and approved.

REGULAR ORDER.

Report of Special Joint Committee :

Committee Room
March 10, 1886.

Mr. Speaker:

Your Special Joint Committee, instructed to destroy the redeemed Auditor's warrants, previously audited by an auditing committee of both houses, beg leave to report that all such warrants were by us destroyed by burning the same as instructed.

HOWELL,
Chairman.

INTRODUCTION AND FIRST READING OF BILLS.

(BY PERMISSION.)

By Mr. Howell—A bill to amend an Act incorporating the city of Smithfield, in Cache County.

Read first and second times by its title.

Read third time under a suspension of the rules, and passed.

Ayes—Anderson, Baty, Clark, Creer, Hatch, Houston, Howell, King, Kimball, McCullough, McLaughlin, Rider, Stratford, Stuart, Smoot, Thurber, Thurman, Wooley, Young—19.

Noes—0.

Absent—Cannon, Lund, West, Farnsworth—4.

Title amended and approved.

SPECIAL ORDER—CONSIDERATION RESUMED.

H. F. 78, a bill to authorize the incorporation of companies for the construction of railroad union stations and depots, with the necessary connecting tracks, and for the management of the same.

On motion of Mr. Stratford the bill passed.

Ayes—Anderson, Baty, Clark, Creer, Hatch, Howell, McCullough, McLaughlin, Rider, Stratford, Stuart, King, Kimball, Thurber, Thurman—15.

Noes—Houston, Woolley, Young—3.

Absent—Cannon, Farnsworth, Lund, Smoot, West—5.

Title approved.

THIRD READING OF BILLS.

C. F. 40, a bill amending an Act incorporating Cedar City, in Iron County.

Pending consideration the House took a recess until 2 p. m.

At 2 p. m. the Speaker called for order, and the House resumed session.

H. F. 40, a bill amending an act incorporating Cedar City, in Iron County (consideration resumed.)

Read third time, amended and passed.

Ayes—Anderson, Baty, Creer, Farnsworth, Hatch, Howell, Houston, King, Kimball, Lund, McCullough, McLaughlin, Rider, Stratford, Stuart, Smoot, Thurber, Woolley, West—20.

Noes—0.

Absent—Thurman, Cannon, Young—3.

Title approved.

MESSAGE FROM THE COUNCIL.

Council Chamber,
March 10, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed H. F. 80, amending charter of Fairview, without amendment.

H. F. 81, amending charter of Mount Pleasant, with one amendment.

And has repassed substitute for H. F. 32 and C. F. 3, amending Smithfield City charter, with one amendment; said bills are herewith returned for your appropriate action.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

H. F. 80, sent to the Committee on Enrollment.

Council amendment to H. F. 81 concurred in, and bill sent to the Committee on Enrollment.

Council amendment to substitute for H. F. 32 and C. F. 3 concurred in, and bill sent to Committee on Enrollment.

Council Chamber,
March 10, 1886.

Mr. Speaker:

I am directed to inform your honorable body that

the Council has this day rejected H. F. No. 68, to suppress and prevent the dissemination of contagious diseases among domestic animals; also, H. F. No. 55, providing for impounding animals, etc., and the same are herewith returned.

The Council concurs in House amendment to C. F. No. 40, Cedar City charter.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

THIRD READING OF BILLS (CONTINUED).

H. F. 79, a bill amending an Act incorporating Provo City, approved January 21, 1886.

Read third time, amended and passed.

Ayes—Anderson, Baty, Creer, Farnsworth, Hatch, Howell, Houston, King, Kimball, Lund, McCullough, McLaughlin, Rider, Stratford, Stuart, Smoot, Thurber, Woolley, West—19.

Noes—0.

Absent—Clark, Cannon, Thurman, Young—4.

Title approved.

REPORT OF COMMITTEE ON JUDICIARY.

Committee Room,
March 10, 1886.

Mr. Speaker:

Your Committee on Judiciary, to whom was referred C. F. 36, beg leave to report it back, and ask that it be laid on the table, as its provisions are already provided for.

HATCH,
Chairman.

Adopted.

At 2:45 p. m., the House took a recess, subject to the call of the Chair.

At 4. p. m. the Speaker called for order, and the House resumed session.

COMMUNICATIONS FROM THE GOVERNOR.

The following veto message from His Excellency the Governor was read by Secretary Thomas:

Salt Lake City, March 10, 1886.

Hon. W. W. Riter, Speaker House of Representatives:

SIR:—If it were possible for me, with my sense of duty as an official, to sanction the bill H. F. No. 67, the general appropriation bill, I should gladly do so. I am not oblivious to the fact that withholding the disbursements of public moneys from objects of importance will work hardships and inconvenience, and on these accounts I had hoped that no circumstances should interpose to prevent my approval of appropriations from the treasury, as the proper administration of the laws and the interests of the public demand.

Finding, however, that there are insuperable objections to the bill becoming law, I feel compelled to state them in a form not to be misapprehended.

This bill contemplates the continuance in authority of the present usurping incumbents of the offices of Territorial Auditor and Treasurer, and to permit the disbursements of the public moneys through these agencies.

If the Legislative Assembly proposes to sanction the usurpations of these officers, which, by this bill, it will do, permit persons lawlessly occupying responsible positions—even more, the most responsible in the Territory to its people, without and in violation of law, to receive, control, keep and disburse the moneys collected by taxation from the people, then I wish to state, with emphasis, that it cannot have my sanction.

Officers who have to do with the public funds, are, of all others, to be held up to strict account. Last of all others, there should be no question as to their title, their authority or qualifications.

In the time contemplated by this bill there will pass through the control, discretion and custody of the Auditor and Treasurer of this Territory more than a quarter of a million dollars. The incumbents, the intruders in these positions, who have held them by like tenure for years, have no more lawful rights therein than any other usurper can present to the place he may have invaded. Their claim has in it not one element that touches the domain of the respectable except its audacity and its success. The bold trespasser who, finding your house without an occupant, enters it by force, and asserts his possession of your hearthstone to be lawful, is in the same position as these so-called officers. Obtaining their positions in violation of the fundamental law, they have successfully defied the law, the courts, the Congress of the United States, and all respectable, intelligent public opinion. If it were not for the countenance and encouragement which this unlawful administration of the Territorial government secures by the support of the Legislative Assembly, and the refusal of one branch of that body to do its duty under the Organic Act, which requires it to act on nominations made by the Governor for appointments to Territorial offices, this discreditable condition of affairs would not exist. Instead of officers connected with, receiving, keeping and disbursing the public moneys, whose every act is tainted with illegality and usurpation, we should have those delicate and responsible positions held by persons whose authority would be unquestioned, and who could be held to an accountability for their acts, if improperly performed.

The question involved is not one of ordinary expediency—it is fundamental, elementary and vital. The Territory of Utah, under influences which do not require to be named to be understood, has seen proper, so far as its Legislative power could be used to that end, to restrict the authority of the United States, and of the officers appointed by it, to as narrow a compass as possible, and to expand and build up the authority and vigor of the local power. The facts establishing this statement are so numerous, and the purpose and occasion for it has been so often proclaimed that it is

not a subject of conjecture. In furtherance of this purpose the power confided by the Organic Act to the Governor to nominate, and with the consent of the Legislative Council to appoint, all Territorial officers, has been withdrawn from him so far as the enactment of a statute in form could do so, and conferred on those under local influences. To the extent to which such officers participate in the Territorial government, it is unlawful. At one time it was more extensive in its scope than now. It invaded the field of the judicial department with its Attorney-General and its Territorial Marshal, and only when these officials in name, not in law, were hurled from their places by successors, who came with a Presidential commission, was the Territory relieved of their pretensions.

Now, notwithstanding the Supreme Court, the opinion of the Attorney-General of the United States, the highest law officer of the government, all reputable juridical opinion coinciding, that these officers are in position and have always been, in defiance of law, I am asked to either sanction their usurpation or allow the government of the Territory to suffer for want of funds necessary to carry it on. I do not hesitate as to my duty and fully accept the responsibility that duty imposes upon me in the premises.

At the commencement of this session of the Legislative Assembly, I called the attention of the body to the condition of affairs, and with a view of removing what might be regarded as insuperable difficulty in the way of legislation affecting the custody, control and use of the public funds, I transmitted the names of persons whom I regarded as suitable for the positions to the Council for its advice. The perfect silence with which that communication was treated, and the purpose of this and other like bills, indicates that nothing is to be expected that will overcome the objection to such legislation.

I find myself, therefore in the closing hours of your Legislative session, confronted with the old and well understood wrong, with no evidence of any purpose to relax the attempt at usurping authority not given, and

either force the Executive to submit to it, or throw upon him the consequences.

At such a time, in such a crisis and in such a cause, I act with no reluctance. One course is, that of acquiescence in a known violation of law, and the surrender of rights belonging to my office and its perversion to the strengthening of an un-American and usurping authority at war with lawful rights. The other is, duty to my country, to its laws, to my conscience and the highest interests of Utah. The choice for me is not difficult. I shall do nothing to aid in the former, and I shall do everything lawfully in my power in aid of the latter, even if the Legislative Assembly continues to be oblivious to the laws of the land, which fixes the duties of the Executive and Legislature, and under which both he and it exercise their functions.

With a conservatism that has often done violence to my intelligence and my sense of what is patriotic, I have, for over six years past, labored faithfully to discharge the duty which my oath of office, twice taken, has imposed upon me as Governor of Utah. I have endeavored to abolish the doctrine of hate, to foster a love of country, and of obedience to the laws, and to have the people of Utah, individually and by their Legislatures, place themselves in line with those who recognize the duties and value the privileges of American citizenship, and who admit their highest allegiance to be to the government of the United States.

On no occasion, either in public or in private, as an officer or as a citizen, have I uttered an unkind word, or felt an unkind impulse towards the people of Utah, or any class of its people. On the contrary, they have always had, and they now have, my truest sympathy and my best energies and hopes for their welfare and prosperity. I am ready to do anything consistent with the Constitution and laws of my country to aid them and set them forward, on the highroad of happiness, prosperity and content.

There have been four different administrations in charge of national affairs since my duties as Governor of Utah began. By each of these I have been advised of their desire to have Utah conform itself to the insti-

tutions of the country and laws of the land. I have as an official and in my personal intercourse with each become cognizant of the anxious desire of all of them that the people who dominate in numbers in Utah, should align themselves with that prevailing public sentiment in this country, which would make them cease to be the subject of special attention on the part of the general government. I think my opportunities enable me to speak, not only for the national sentiment, but to know and speak of the hopes and aspirations of not a few of every class and sect in Utah.

I am sure there is no desire to needlessly interfere in the local affairs of Utah, and no wish to do more than to vindicate the law of the land, and have its authority recognized in the same way and to the same extent as in other Territories of the nation. I have in all my intercourse with this and prior Legislative Assemblies, striven to impress upon them this wish and this purpose. I regret to say that I have been met in this, and in other measures affecting these questions, by the positive opposition of those who claim to be leaders of the majority of the people of Utah. They proclaim that their opposition is primarily to the laws that I am sworn to uphold, and, so far as I can, see faithfully executed. Because of this, all the virus of the local press and pulpit, controlled by them, has been poured out upon me, as if I were the offender instead of the law, which it is our common duty to obey. Legislatures in the past have been unmindful of my appeals, but now, I most respectfully invite your body to say whether it would not have been wiser and better for Utah and the Mormon people, who compose so largely a majority of its population, if some of my appeals had been heard.

When we look about us and see homes and families deserted by men fleeing from laws which they had so long defied, with confidence that danger was far distant; when day by day is multiplying evidence that a patient country has been waiting to see if Utah would not herself right what the public conscience believed to be wrong, but is at last marching with steady and unflinching purpose to the end; when we see these things, is it not time for this Legislature, and the authorities in

Utah to pause, and address themselves to the reformation of affairs that will not, and cannot, always endure as they now are? If you shall neglect to make proper provision for the public interests, for the enforcement of the laws, and for good government, then those interested in the preservation of good order will of necessity be compelled to ask the general government to take up such items in the present bill as are necessary and right and make the appropriations which we ought to make. That Congress may appropriate the moneys collected here, and disburse them through agencies chosen by itself, there is no question. But should we permit this to be done, when avoiding it is easy, and plain, and our duty? There is already too much inviting the attention of Congress to our local affairs. Let us not add to the necessity by refusing a plain and obvious duty. The fact appears that the difference between us is inseparably connected with this bill, and more, not less, than I have discussed is involved.

The fact that there is a determination to continue to use the power of the Territorial government to uphold the leaders of an organization in efforts to defy the laws of Congress against polygamy, and to maintain their pretensions to dictate in the civil affairs of the Territory, must evoke discussion and difference on this or any like measure between the Legislature and the Governor.

It is this that keeps us from coming together like zealous public servants should do, and all striving to do our best for the common good. So long as public measures, whether they be jury bills, transfer of proper legislative authority to municipal councils, or this bill, are to be made subservient to the effect they may have upon the claims of any organization over its adherents, and to the defense of the practice and doctrine of polygamy, so long will this contest continue. I am free to say that the people of the United States, believing polygamy to be the great evil affecting Utah, have been slow to interfere in matters affecting our local style of civil government. So fearful of doing what might be wrong they have been slow to do what is imperatively right.

To that extent the people of the nation are responsible morally for the establishment and continuance through many years of a local government which is not only not in harmony with the Laws of the United States, but represents a system which is in antagonism to any government which it does not control. It is this idea of government, this defiance of lawful government, which I am asked to acquiesce in and lend power and aid to, by appropriating money to maintain its purposes, and support its instruments, in signing this bill. I am asked to become a party to it, and to join in the exercise of forbidden and unlawful authority. I am asked, by it, to assist the local power in this Territory in trampling under its feet the laws of the United States, to spurn the decisions of the United States Supreme Court, disregard the opinions of the Attorney-General of the United States, and my own.

I am asked to give the revenues of this entire Territory, collected from all classes of people, into the hands of those who have been held in place in direct opposition to a plain law of Congress, under an illegal statute of the Territory, and a void election held years ago, and whose sureties in event of malfeasance or defalcation in office, could escape all pecuniary responsibility for the loss. The public funds of this Territory have long enough been kept in the office of the President of the Church of Jesus Christ of Latter-day Saints. The conjunction of public moneys, and the ecclesiastical authority over its guardian, is a bad if not unsafe practice. They should be divorced and honestly kept apart.

An additional objection to this bill, related closely to the ones already stated, exists in the fact that nearly one-half the appropriations provided for, after passing through the hands of the persons assuming to be Auditor and Treasurer, are finally disbursed by boards chosen in a manner equally with those persons in violation of the laws of Congress.

There are also specific items in the bill, the expediency of which is open to the gravest question, but I omit to discuss them because of the more vital objections which I have felt constrained to present in the haste required by your early adjournment.

In conclusion I have only to say that I will not consent to the appropriation of one dollar of the public funds, collected, kept or disbursed by the well-determined unlawful agencies existing in this Territory. We should understand each other respectfully and fully. This Territory has been permitted to defy the laws and the courts long enough. It must either cease to do so, or with my consent it shall not longer cover its disregard of the laws of my country under the forms of Territorial Statutes.

I have not the moral or legal right to sign the bill, and herewith respectfully return the same without approval.

ELI H. MURRAY,
Governor.

Ordered spread upon the minutes, and transmitted to the Council for its information.

Territory of Utah,
Executive Office,
Salt Lake City, March 10, 1886. }

Hon. W. W. Riter, Speaker of the House:

SIR.—I have this day approved and filed with the Secretary of the Territory:

H. J. R. No. 16, entitled, "Resolution providing for the distribution of West's map of Utah."

H. F. No 20, entitled, "An Act to encourage the growth of timber."

H. F. No. 69, entitled, "An Act to prohibit bulls from running at large in Rich County during certain seasons of the year."

In reference to H. F. No. 20, to encourage the growth of timber, I desire to place on record my opinion that the bill is too restricted in its general items.

The importance of the question requires, it seems to me, greater encouragement from the law making power, but the bill in question is a step in the right direction, and I therefore approve it.

I am, very respectfully,

ELI H. MURRAY,
Governor.

Ordered spread upon the minutes, and transmitted to the Council for its information.

Mr. Hatch moved that when this House adjourn it be untill to-morrow morning at 10 o'clock.

On motion of Mr. Thurman the consideration of C. F. 29, the revenue bill was indefinitely postponed.

MESSAGE FROM THE COUNCIL.

Council Chamber,
March 10, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed H. F. No. 79, amending Provo City Charter, with amendments; same is herewith forwarded for your action on said amendments.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

House concurred in the Council amendment to H. F. 79, and the bill sent to Enrollment Committee.

On motion of Mr. Thurman, the House, at 4:30 p. m., adjourned until to-morrow at 10 o'clock a. m.

Benediction by the Chaplain.

SIXTIETH DAY.

REPRESENTATIVES' HALL,
Salt Lake City, Thursday, March 11, 1886.

10 a. m.

House met pursuant to adjournment.

Speaker in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

Minute Clerk instructed to read and correct any irregularities in Wednesday's minutes.

MESSAGE FROM THE COUNCIL.

Council Chamber,
March 10, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council on March 8th received a message from His Excellency the Governor, making certain suggestions in regard to C. F. No. 8, the highway bill, which together with the bill was referred to Council Committee on Highways, and to-day was returned with amendments which have been agreed to by the Council, and said bill as amended is passed. The same is now forwarded for your action thereon. The message of His Excellency also accompanies.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Council amendments to C. F. 8 concurred in, and the bill repassed.

Ayes—Baty, Clark, Creer, Farnsworth, Hatch,

Houston, McLaughlin, McCullough, Lund, Rider, Stratford, Stuart, Smoot, Thurber, Woolley, King, Kimball—17.

Noes—0.

Absent—Cannon, Thurman, Anderson, West, Howell, Young—6.

Title approved.

Mr. Hatch, of the Committee on Judiciary, reported back H. F. 72, record of Marriages, without recommendation.

On motion of Mr. King, the consideration of the bill was postponed indefinitely.

The Committee on Judiciary also reported back the petition of the Auditor, relative to making some different arrangements for issuing jurors' warrants, without recommendation.

On motion, the consideration of the request of the petition was postponed indefinitely.

By unanimous consent, Mr. McLaughlin presented a bill entitled, "A bill appropriating money for the payment of the officers of the Legislative Assembly.

Read the first time.

Read second time and amended.

Read third time, under a suspension of the rules, and passed.

Ayes—Baty, Clark, Farnsworth, Hatch, Houston, Howell, King, Kimball, McLaughlin, Rider, Stuart, Smoot, Thurber, Woolley—14.

Noes—0.

Absent—Anderson, Cannon, Lund, McCullough, Stratford, Thurman, West, Young—8.

Not voting—Creer—1.

Title approved.

REPORTS OF STANDING COMMITTEES.

By the Committee on Penitentiary and Reform School:

Committee Room,
March 11, 1886.

Mr. Speaker:

Your Committee on Penitentiary and Reform School, to whom was referred H. F. 70, beg leave to report that they have considered the same, but not taken any definite action in relation thereto, and hence return the same without any recommendation.

Yours respectfully,

A. H. LUND,
Chairman.

H. F. 70 laid on the table.

By the Committee on Enrollment:

Committee Room,
March 10, 1886.

Mr. Speaker:

Your Committee on Enrollment report that H. F. No. 62, an Act amending an Act revising the Code of Civil Procedure of Utah Territory. H. F. No. 67, General Appropriation Bill. H. F. No. 64, an Act providing for the removal of insane convicts, etc., and H. F. No. 80, amending an Act incorporating the City of Fairview, etc., have been correctly enrolled and this day forwarded to the Governor for his approval.

Respectfully,

JOS. A. WEST.
Chairman.

MESSAGE FROM THE COUNCIL.

Council Chamber,
March 10, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day received a message from His Excellency the Governor approving C. F. 10, Fish and

Game, C. F. 19, amending Section 18 of Chapter XLV. Laws of 1884, and C. F. 34, Insurance Companies, which is herewith forwarded for your information.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

At 11:30 a. m., the House took a recess until 2. p. m.

At 2 p. m., the Speaker called for order, and the House resumed session.

REPORTS OF SPECIAL JOINT COMMITTEE.

Committee Room,
March 11, 1886.

Mr. Speaker:

Your Special Joint Committee to whom was referred the several veto messages of His Excellency the Governor with instructions to consider the same, and report thereupon by resolution or otherwise, beg leave to present the following resolutions upon His Excellency's veto of the resolutions on compilation.

JOS. A. WEST,
Chairman House Portion of Joint Committee.

RESOLUTIONS.

WHEREAS, His Excellency, Governor Eli H. Murray, vetoed the bill passed by this Assembly providing for the compilation of the laws of Utah Territory, and

in his veto message made use of the following language, to-wit: "But there are other and far more potential reasons why this resolution or any other of like character should not become law, viz: First, the handling of so large a sum of money should be done by legal officers under valid bonds. This is not possible until the appointment and confirmation of an Auditor and Treasurer in conformity with the laws of Congress. The present *de facto* Auditor and Treasurer are holding over long after the expiration of the terms prescribed by an illegal statute and by an election void in itself, and the bonds under which they serve, if ever they were legal, are so no longer. Second, a number of statutes enacted by Legislatures of the past stand among the laws of the Utah to-day which are in direct conflict with the laws of Congress, which are supreme. These laws when analyzed in their very bones and in the lineaments of their every feature are shown to be acts of nullification of the laws of the land, which you and I have sworn to maintain.

"Under these laws the Executive authority of the Territory, and the authority of the Government of the United States have for years been persistently ignored, and set at defiance. This resolution proposes to republish these laws in a compilation which will further mislead the people of this Territory, and I am asked to approve them and sign a draft for \$10,000 of public funds drawn from the pockets of all classes of people to further perpetuate this travesty on government in the Territory, and this grievous wrong upon the laws of Congress!" And

WHEREAS, Section 4, of the Organic Act establishing a Territorial government for Utah, provides that "the legislative power and authority of said Territory shall be vested in the Governor and a Legislative Assembly." And

WHEREAS, Section 2 of said act provides that "the Governor * * * shall approve all laws passed by the Legislative Assembly before they shall take effect," thus conferring upon him the absolute veto, and making his will or silence, as the case may be, to

outweight the unanimous vote of both houses of the Legislative Assembly. And

WHEREAS, Section 6 of said act provides that "all the laws passed by the Legislative Assembly and Governor shall be submitted to the Congress of the United States, and if disproved shall be null and of no effect." And

WHEREAS, All the laws now in force in this Territory have have been so passed by the said Legislative Assembly, been so approved by the Governor, and have been so forwarded to Congress and have not been disapproved. And

WHEREAS, Under our political system the right to pass upon the constitutionality of any law of this Territory is vested in the Judicial and not in the Executive authority; and

WHEREAS, The officers to whom His Excellency refers in his said veto message as "holding over unlawfully and long after the expiration of their terms under an illegal statute, and by an election void in itself," were duly elected and qualified, and duly commissioned by His Excellency Governor Eli H. Murray, in accordance with the law passed as prescribed in the Organic Act, by a Legislature selected as therein provided for, and said law was duly approved by the Governor, and was not disapproved by Congress, and has not been declared invalid by a competent court; said law was not, therefore, void, said election was not illegal, nor did nor do said officers unlawfully hold over. Therefore be it

Resolved, By the Council and House of Representatives of the Legislative Assembly of the Territory of Utah, that the refusal of His Excellency to sign bills because of his opinion concerning the official status of the Auditor and Treasurer is only a pretext instead of a reason; that he has made of the absolute veto power vested in him an engine of oppression, partisanship and malice; that in giving official utterance to the sentiment that the regularly enacted and approved laws of Utah are acts of nullification, Eli H. Murray openly and wilfully insults the patriotism of the various Legislative Assemblies of this Territory by whom these laws

were passed; that he openly and defiantly and for revolutionary purposes insults the patriotism of the good people of this Territory by whom said Legislative Assemblies were elected and whose representatives we are; and, lastly, that he wilfully and deliberately insults the intelligence, patriotism and devotion to duty of his predecessors in office, who, while possessing the absolute veto, and being equal in authority to him, the said Eli H. Murray, and equally responsible with the Legislative Assembly, have given their official and final approval to said laws. And be it

Further Resolved, That the said statements of the said Governor of Utah Territory, "when analyzed in their very bones, and in the lineaments of their every feature," are found to be wilfull, studied and deliberate misrepresentations, fabricated for the purpose of arousing Congress and the people of the United States to a bitter and unrelenting hostility to the people of this Territory, and of promoting thereby such hostile legislation as would ultimately destroy every vestige of liberty and republican government in the Territory of Utah; that the unhallowed purpose which he seeks by such statements as these to promote, his public utterances and career in this Territory have clearly demonstrated to be his chief aim and desire ever since his appointment to the executive chair, and that his present attitude in withholding his signature to needed laws, and thereby obstructing the demands of legislation, with nothing but railing accusations instead of sound reasons for his executive disapproval, places him in the position of an obstructionist, a nullifier, and an arrogant and defiant opponent of the legal and constitutional demands of a liberty-loving, loyal and much-abused people, whose best interests it should be his highest aim to promote, and whose constitutional rights he has sworn to maintain. And be it

Further Resolved, That these resolutions be spread upon the minutes of both houses of this Assembly.

On motion of Mr. King the report of the committee was received, and the resolutions adopted.

At the request of Mr. McLaughlin the ayes and noes on the question were called, and stood as follows:

Ayes—Anderson, Baty, Clark, Creer, Farnsworth, Hatch, Houston, Howell, King, Kimball, McCullough, Rider, Stratford, Stuart, Smoot, Thurber, Woolley, West, Young—19.

Noes—McLaughlin—1.

Absent—Stratford, Thurman, Cannon—3.

Mr. West moved that the absent members be given the privilege of recording their votes if they so desire
Carried.

Mr. Speaker:

Your Special Joint Committee appointed to consider the veto messages of His Excellency Eli H. Murray, upon the measures known as the bail bills beg leave to report as follows:

We do not recommend any apology for such an unusual proceeding. The startling and autocratic conduct of the Governor in annihilating the long and conscientious labors performed by the chosen representatives of an entire commonwealth, justifies and demand from us a reply.

The first bail bill which passed this Legislature was as follows:

“That Section 388 of ‘An Act regulating the mode of procedure in criminal cases,’ approved February 22d, 1878, be repealed, and the following be substituted in lieu thereof: ‘Section 388.—After conviction of an offense not punishable by death, a defendant shall, upon application therefor, be admitted to bail as a matter of right.’”

In response to this measure, Governor Murray forwarded to the House the following veto message:

“Territory of Utah,
“Executive Office,
“Salt Lake City, January 25, 1886. } ”

“Hon. W. W. Ritter, Speaker House of Representatives:

“Sir—Section 388 of ‘An Act regulating the mode of procedure in criminal cases,’ provides as follows: ‘After conviction of an offense not punishable by death, a defendant who has appealed, may be admitted to bail; first, as a matter of right, when the appeal is from a judgment imposing a fine only; second, as a matter of discretion in all other cases.’ The bill now in my hands (H. F. No. 3) for approval, provides as follows: ‘That Section 388 of an Act regulating the mode of procedure in criminal cases, approved February 22, 1878, be repealed, and the following be substituted in lieu thereof: ‘Section 388.—After conviction of an offense not punishable by death, a defendant shall, upon application therefor, be admitted to bail as a matter of right.’ With few exceptions, the rule for the admission of ‘defendant to bail after conviction,’ leaves the question to the discretion of the court, but should be allowed upon a proper showing of the court, when it may be done. It would be detrimental to the administration of public justice, and should be given as a matter of right by an arbitrary statute in cases only in which the peace and welfare of society may not be endangered. Under the bill before me, a defendant convicted of murder in the second degree, or guilty of rape and other infamous crimes, may prosecute an appeal, and on application therefor, be admitted to bail as a matter of right, and by operation of law, at once be turned loose upon the society it has wronged. Under the practice governing appeals, the courts will be left powerless to control or correct this outrage upon the public. The present law has been fully sustained, and the rights of a defendant, under its provisions, determined by the Supreme Court of the United States in the late case of the United States vs. Rudger Clawson. The courts have wisely exercised the discretion imposed upon them in granting and denying bail, as the merits of the case suggested

and the practice has uniformly proved beneficial in executing the law. In my opinion, by depriving the courts of this discretion in this very important feature in criminal procedure, and which the bill before me does, we place in the hands of those who seek to defeat the execution of the laws, the power of trifling with justice, and to delay and defeat the punishment prescribed by law against those who stand convicted of public offenses. For these and other reasons which present themselves, I return the bill to the House to which it originated, without my approval.

“Very respectfully,

“ELI H. MURRAY,

“Governor.”

Avoiding the only specific or well-founded objection raised by His Excellency to the former bill, a second bail bill was passed as follows :

“After conviction of an offense a defendant who has appealed shall, upon application therefor, be admitted to bail pending said appeal as a matter of right where the offense charged is not murder, rape or other infamous crime punishable with more than five years in the penitentiary, and in these cases he may be admitted to bail as a matter of discretion when the offense charged is not punishable with death.”

To this measure the Governor again responded with a veto in the following words :

“Territory of Utah,

“Executive Office,

“Salt Lake City, February 9, 1886. }

To Hon. W. W. Riter, Speaker House:

“SIR.—The present law governing bail was taken from the California Code, from which much of our law is copied. The practice which the bill before me proposes to change continues in California, in New York, and as a rule throughout the United States.

“The practical results, should this bill become a law at this time, will be to supplement and aid the purposes of those who for years have been and are now

combined to defeat the execution of laws of the United States.

"The defense fund, to which I have heretofore asked your attention, has been applied for this purpose, not only in Utah, but in our neighboring Territories of Idaho and Arizona in the vain hope of successfully defending the system of polygamy.

"The fact that the dockets and the time of the courts are taken up in cases growing out of polygamy, and that every technicality known to the law has been resorted to in order to delay and defeat the execution of laws denouncing the system, imperatively demands of the Executive to retain every statute which is just and applicable that guards the administration of justice.

"The section sought to be changed is applicable and just, because it has been sustained by the Supreme Court of the United States, and materially aids in the punishment of public offenders, and is a time-honored practice under the common law. Under the bill proposed, the rich man, or the man shielded by powerful confederates, after conviction will go at large, and the poor man and stranger will go to jail.

"As I am in sympathy with the Government in the endeavor, and am charged to see that 'the laws are faithfully executed,' I must again withhold my approval from this H. F. No. 30, or any like measure under and through which both National and Territorial laws will be delayed or defeated in their execution."

"I have the honor to be very respectfully,

"ELI H. MURRAY,
Governor."

Thus in the exercise of his absolute and unrelenting sway, the Governor has made it impossible for this Legislature to provide proper and needed protection for personal liberty.

In the two veto messages upon this subject, objections are multiplied without number. Many of the claims advanced, upon their face are shown to lack material essence. They are too trivial for consideration. The only possible objection of real weight was announced in the first message, and was obviated in the second bill. The Governor's assertion that the United

States Supreme Court had fully sustained the present law and completely determined the rights of defendants thereunder, has no relevancy. The Supreme Court did not say that simply because the lower courts had exercised the discretion granted them by law that therefore the Legislature had lost its discretionary power to amend or enlarge the statute. That august tribunal left to us, as the chosen Legislators for a free people, the right, which His Excellency has persistently withheld from us, to use our discretion in providing changes in existing statutes for the benefit of this Territory. The Governor's messages indicates the theory that in matters relating to the rights of person, the judges alone have the authority to use discretion. He seeks to make a point against this measure, because it would permit the rich man or the person possessing many friends to go about his business under bonds, while the destitute and friendless would be cast into jail. Is not this the case universally where bail is permitted? If this be a valid objection to the proposed bill, then all bail laws should be repealed, and every man—rich or poor, high or low, innocent or guilty—when accused of crime should be at once immured within a dungeon. Because, forsooth, His Excellency would have equal justice or injustice for all. His other objections are similarly without real significance in a politic or legal sense. His actual reason, the inspiring motive of his vetoes, is unmasked in his second message. Having exhausted all imaginable fictitious claims, he is at length forced to give the true one, which is practically a sweeping admission that such a law would result in extending the right of bail to alleged offenders against United States laws in this Territory. His Excellency's objections, so far as they are tangible, have now been stated.

The people of Utah Territory—speaking through the unanimous voice of their chosen Legislators—declared that an enlargement or change of the law regulating bail was necessary. It is true that the practice was here as in some—not all—other portions of this country, to leave to the discretion of the Courts the power to grant or withhold bail pending appeal in

certain cases. For many years this power was wielded here as in other places where it is held by the Courts, in moderation, mercy and impartiality. No one class of offenders was singled out for special favors—no one class was selected for particular vindictiveness. But later, with growing and cruel adverse sentiment to the people of Utah, with an imported judiciary, boastfully hostile to their property and personal rights ; with an almost entire body of officials, backed by press and pulpit upholding any scheme directed against them—this discretionary power in the hands of the judges was made an engine of injustice, oppression and inhumanity. Under these circumstances, the Legislature acting in consonance with public weal, passed the bail bills. But we could not overcome the autocratic whim or prejudice of the one man whose awful nod is made superior to the expressed will of 200,000 people.

Of the legal right of the Legislature—under well-founded principles—to make such a law there can be no question. There is no reason to doubt that, if such a manifestly good and impartial measure had passed to Congress, that great body would at once have given the necessary approval. The entire tenor of our laws from the Constitution down is to provide as much personal liberty for the citizen as possible ; and bail is allowed to people involved in criminal proceedings in order that no man possessing the power of securing his appearance for final judgment, need suffer an hour's imprisonment until his case has been conclusively and irrevocably decided by the Court to which it is last to be appealed. The discretionary power to the Court to allow bail pending appeal is nowhere granted for the purpose of giving Judges the right to assail special individuals. And when this discretion is exercised venomously and not alone for the purpose of securing the appearance of defendants, it should be withdrawn ; and in any other portion of the country than Utah it would be abrogated by Legislative enactment.

It has been announced by Blackstone, Bishop, and other famed apostles of the law, that bail is one of the creatures of civilized governments, and is in fact a crystalization of the purest and most humane interests

of man in his best estate—such a creation as grows out of that feeling to be charitable, and that desire to be just which only Christian nations and progressive races can extend to their fellow man. Article VIII. of the amendments to the Constitution of the United States, says, “excessive bail shall not be required,” and if excessive bail is unconstitutional under this amendment, what shall be said of the law that permits the denial of bail altogether, and that too, in a misdemeanor, the smallest offense known to the law. The practice in every State and Territory of the Union, we believe, whatever may be the statutory law on the subject, allows bail pending both trial and appeal. Upon this subject Bishop says :

“It is, perhaps, therefore, to be accepted as the common law doctrine, that if the case has gone to final sentence, and the prisoner is taken in execution, he cannot have bail while he is pursuing measures to have the judgment reversed. But this doctrine has been changed, and bail in proper cases allowed, in England, by recent statute ; and the same is probably true in many, or most of our States.”

Bassett, in his criminal pleadings says, that even after conviction in a case not capital a prisoner may, under the rule and practice of the common law, be discharged on bail to appear and abide the sentence of the Court.

Davis vs. State, 6 Howard (Miss.), 399 ; and
Ex-Parte Dyson, 25 Miss., 356.

The Common Code of Iowa, page 642, sec. 4107. says : “All defendants are bailable both before and after conviction by sufficient sureties, except for offenses heretofore punishable with death.”

The Constitution of the State of Texas provides that all persons shall be admitted to bail on sufficient sureties.

If, therefore, the practice in other States and Territories of the Union allows bail pending appeal, why should it not be allowed in Utah ? Is a man to be treated as a criminal in Utah simply because he is accused of a crime ? Was the Legislature to sit silently and see revived the dark and horrible rule of the Doges

of Venice, when an anonymous charge thrust into the brazen lion's mouth by some personal enemy meant a man's conviction and death? It would seem so, for the reason that the one man—in the autocratic exercise of a power which he has shown himself totally unfit to wield—has so decreed it. Bail will do for other places, but not for Utah, and this doctrine is forced upon us in defiance of law and precedent.

Not only is the right to bail permitted by law and precedent elsewhere, but also its kindred right, that of appeal, the inherent and constitutional right of every citizen, is strongly guarded by the laws of every State and Territory of the Union. In fact the whole spirit and genius of our laws from the Constitution down provides for the perpetuity and preservation of this right. But of what value is the right of appeal if bail pending the decision of the higher tribunal is denied, and the accused is being punished the same as if he were convicted? If the crime with which he is charged is a misdemeanor, he may be imprisoned pending appeal to the Supreme Court of the Territory for a longer term than the longest sentence that could be imposed were he found guilty. And if the charge is such that he would be entitled to an appeal to the Supreme Court of the United States, if bail were denied him pending the same, he might be imprisoned twice or thrice as long as the longest sentence that he could receive. Were he ultimately acquitted he would have suffered like a common criminal during all the time that he was prosecuting his appeal, and yet be all the time innocent. Were he guilty he would suffer a double penalty, one while prosecuting his appeal and one after final judgment. So that a denial of bail pending appeal is equally unjust whether the prisoner be guilty or innocent. Whether guilty or innocent, alike he has no redress. If innocent he must suffer like a criminal because he is accused, and if guilty a double penalty because he appeals. Thus the right of appeal, designed to be a safeguard of liberty and a bar to injustice, with the right of bail denied becomes a delusion and a snare, by which a double punishment is inflicted upon the guilty, and an equally harsh and cruel punishment inflicted upon the innocent. In order, there-

fore, that the right of appeal may be of any practical benefit to the accused, bail pending the same must be granted; and justice, humanity and law alike demand that it should be granted in every case where there is a reasonable certainty that bail will produce the defendant in court when wanted. Even in civil cases, the judgment debtor may stay execution when he appeals by giving a bond that he will abide the decree of the higher tribunal; and shall we continue a system which places a man's property rights above personal liberty?

In view of all of which we have here set down, and of the greater measure of truth which exists in the same direction, we respectfully claim that the bail bills vetoed by His Excellency, Governor Eli H. Murray, were strictly within our sphere of legislative authority. We claim that the vetoes of said bills were not given to advance the cause of justice, to benefit the commonwealth and aid in the execution of the laws, but rather to gratify private resentment, to permit bigoted courts to heap further indignity and wrong upon a special and proscribed class, and to add another injury to the many now suffered by this devoted Territory.

Respectfully submitted,

Jos. A. WEST,

*Chairman House Portion of Joint Committee
on the Governor's Vetoes.*

On motion of Mr. King, the report of the committee was received, and the resolutions adopted.

Ayes—Anderson, Baty, Clark, Creer, Farnsworth, Hatch, Howell, Houston, King, Kimball, McCullough, Rider, Stratford, Stuart, Smoot, Thurber, Woolley, West, Young—19.

Noes—McLaughlin—1.

Absent—Thurman, Cannon—2.

MESSAGE FROM THE COUNCIL.

Council Chamber,
March 11, 1886.

Mr. Speaker:

I am directed to inform your honorable body that

the Council has this day received from His Excellency the Governor a message making certain suggestions in regard to C. F. No. 27, amending the Charter of Morgan, and the Council has amended said bill in conformity therewith and passed the same as amended. Accompanying are said bill and the message of His Excellency.

Respectfully,
 HEBER M. WELLS,
Chief Clerk.

Council amendments to C. F. 27 concurred in and bill repassed.

Ayes—Anderson, Baty, Clark, Creer, Cannon, Farnsworth, Hatch, Howell, Houston, King, Kimball, McCullough, Rider, Stratford, Stuart, Smoot, Thurber, Woolley, West, Young—20.

Noes—0.

Absent—Thurman, McLaughlin—2.

Title approved.

COMMUNICATIONS FROM THE GOVERNOR.

Territory of Utah,
 Executive Office,
 Salt Lake City, March 11, 1886. }

Hon. W. W. Riter, Speaker:

SIR.—I have this day approved and filed in the office of the Secretary of the Territory:

H. F. No. 26, entitled, "An Act amending Section 6, Chapter XLIV., Session Laws of 1880."

H. F. No. 27, entitled, "An Act amending Section 4 and 10 of Chapter XXXI., Laws of 1886."

H. F. No. 32, entitled, "An Act amending An Act incorporating the city of Smithfield in Cache County."

H. F. No. 39, entitled, "An Act to amend Chapter XXI., of the Laws of 1884, entitled, An Act in relation to mortgages of personal property."

H. F. No. 60, entitled, "An Act amending an Act providing for the establishment and support of district

schools and for other purposes, approved February 20 1880."

H. F. No. 64, entitled, "An Act providing for the removal of insane convicts to the Territorial Insane Asylum."

H. F. No. 45, entitled, "An Act amending Section 27, Chapter VII. of Chapter LVI., Laws of Utah, 1884, entitled, An Act relating to procedure of probate courts in the settlement of estates and in guardianship."

H. F. No. 46, entitled, An Act amending An Act to incorporate Alpine City, Utah County, approved January 19, 1885."

H. F. No. 48, entitled, "An Act amending An Act to incorporate Pleasant Grove City."

H. F. No. 71, entitled, "An Act pertaining to the location of mining claims."

H. F. No. 75, entitled, "An Act amending Section 278, Chapter V. of the Penal Code."

H. F. No. 80, entitled "An Act to amend An Act incorporating the city of Fairview, in Sanpete County, approved February 16, 1872."

I am, very respectfully,

ELI H. MURRAY,
Governor.

Ordered spread upon the minutes, and transmitted to the Council for its information.

Territory of Utah,
Executive Office,
Salt Lake City, March 11, 1886. }

Hon. W. W. Riter, Speaker:

SIR.—I return herewith H. F. No. 66, entitled, "An Act amending An Act to incorporate the city of Lehi, approved February 5, 1852, and suggest that the following words be stricken out: In Section 2, line three all after the word "city" up to and including the word "therein" in line four.

I am, very respectfully,

ELI H. MURRAY,
Governor.

On motion of Mr. Creer, the bill was amended in conformity to the suggestion of the Governor and re-passed.

Ayes—Anderson, Clark, Creer, Cannon, Farnsworth, Hatch, Howell, Houston, King, Kimball, Lund, McCullough, Rider, Stratford, Stuart, Smoot, Thurber, Thurman, West, Woolley, Young—21.

Noes—0.

Absent—McLaughlin, Baty—2.

Title approved.

MESSAGE FROM THE COUNCIL.

Council Chamber,
March 11, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day rejected H. F. 82, appropriating money for payment of officers of the Legislative Assembly, and same is now returned.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

LETTER FROM THE HERALD COMPANY.

THE HERALD,
Salt Lake City, March 11, 1886.

Hon. W. W. Riter, Speaker House Representatives:

SIR:—Observing that the members and officers of the Legislature have been deprived of their pay by action of Congress, and that the general appropriation bill has failed of passage, we beg to ask the acceptance of a receipted bill from this company for daily *Heralds* furnished the members and officers of your honorable body during the twenty-seventh session.

Respectfully,
THE HERALD COMPANY.

On motion of Mr. Riter, the *Herald* Company's courtesy was accepted with thanks.

COMMUNICATION FROM THE GOVERNOR.

Territory of Utah,
Executive Office,
Salt Lake City, March 11, 1886. }

Hon. W. W. Riter, Speaker House Representatives:

SIR:—I herewith return H. F. No. 49, without my approval.

This bill is a substantial re-enactment of the system of registering voters and conducting elections, which prevailed in this Territory prior to the act of Congress of March 22, 1882, with the change in the qualifications of voters made necessary by that act. That system was regarded by many as unfair and unsatisfactory.

Under it, for years, the non-Mormon voters practically declined participation in elections, and charges of favoritism and injustice in its administration were made with, at least, color of plausibility. It was largely because Congress was impressed with this belief, that it placed at that time the appointment of election and registration officers under the control of a board which derived its authority from a source which was not dominated by the people of Utah. I am unwilling to return to this discarded and condemned system.

The act before me, if approved, will place the registration of voters, and the conduct of elections, in the hands of men who are hostile to the law of Congress, and are opposed to the enforcement of national laws, if inconsistent with their opinions.

To place the registering and the conduct of elections, and the canvassing of votes in the hands of those from whom it was taken, would be going to the old abuses.

This bill is subject to many of the objections which were pointed out in a message transmitted to the last Legislative Assembly by me, declining to approve a bill similar in its essential features to this one. I do not deem it necessary to repeat these objections. My opinions have undergone no change on the subject.

Sections 4 to 9 of the bill are in relation to a subject so distinct from the general purpose of the bill,

and already reasonably provided for, that their insertion in this bill appears to be both unnecessary and confusing. The subject of vacancies and terms of office are out of place in such connection, and aside from the objections which I entertain to these sections, ought to be omitted from this measure.

This bill, in its essential features, is one that I cannot approve.

I am, very respectfully,

ELI H. MURRAY,
Governor.

Ordered spread upon the minutes, and referred to the Special Joint Committee appointed to consider the several veto messages of the Governor.

REPORTS OF STANDING COMMITTEES (BY PERMISSION).

By the Committee on Highways:

Committee Room,
March 11, 1886.

Mr. Speaker:

Your Committee on Highways, to whom was referred H. F. 54, a bill requiring County Courts to report the expenditure of appropriations for roads and bridges, herewith return the same as unfinished business. Communications from Emery, Kane and Uintah Counties, in reference to the expenditure of Territorial appropriations for roads and bridges are herewith returned as satisfactory.

HOWELL,
Chairman.

Adopted.

By the Committee on Education:

Committee Room,
March 11, 1886.

Mr. Speaker:

Your Committee on Education to whom were

referred two petitions of Prof. H. C. White, asking for an appropriation in aid of the deaf and dumb department of the University of Deseret, respectfully report that they have duly considered the same and succeeded in getting an item of \$6000 inserted in the general appropriation bill for that purpose. The petitions are herewith returned.

CANNON,
Chairman.

Adopted.

Committee Room.

Mr. Speaker:

Your Committee on Education, to whom was referred H. F. 58, requiring the Commissioners to Locate University Lands to obtain certain information concerning university lands and making appropriations for that purpose, herewith respectfully report the same back as unfinished business. Up to date sufficient information has not been furnished the committee as to the necessity for any such appropriation. The report of the Commissioners, which accompanies the bill, should, the Committee think, be spread upon the minutes of the House.

Respectfully,
CANNON,
Chairman.

To the Honorable Legislative Assembly of the Territory of Utah:

We, the undersigned Commissioners to Locate University Lands, respectfully submit our report, according to law, as follows, to-wit: We were duly elected to fill the said position as a board on the 3d day of August last, and as soon as we received our certificates of election from the Hon. Secretary Thomas, proceeded to take the required oath, and duly filed the same with the Hon. Territorial Auditor of Public Accounts. On the certificate of that officer, commissions were promptly issued to us, by His Excellency Governor Murray, for the term prescribed by law.

We then called upon the remaining member of the

former board, Hon. L. S. Hills, the other two members being deceased, and obtained from him the lists and papers connected with the office, and that gentleman also furnished us with such data and information as were in his possession, to aid us in the future discharge of our duties. On examination of the lists and papers transferred to us, we find that the full quantity of land appropriated by Congress for the benefit of a university in this Territory, appears to have been located in different parts of the Territory; but there are no maps giving any accurate information or showing as to the quantity and character of the lands selected, or the topography of the same. We also find that some applications have been presented by alleged prior claimants, for the relinquishment of certain tracts selected as university lands; and we are informed that in some instances, on proper showing, such relinquishments have been made. We also learn that other applications are still pending, and in one instance, a petition to the Interior Department has been made to set aside a location on the ground of a prior settlement in the existence of a graveyard upon said selected land. These demands will have to be met by proper means, and by the present Board.

As we find that for some time no funds have been appropriated with which to meet any of the expenses of the office we can readily account for the absence of anything like adequate data, upon which to base a proper and full report at present; but we doubt not that your honorable body will see the necessity of making a suitable appropriation for the use of the Commissioners during the coming two years.

In order that the necessary work may be done satisfactorily, visits will have to be made to the various counties where the lands are situated; the character of the lands and the improvements thereon be properly noted; and maps will have to be obtained showing the topography of the tracts, the availability of water privileges, the contiguity of canals, and also of all natural sources of water supply; as well as the relative positions of mountainous and mining regions, settlements and railroads. All this, and perhaps other things which will suggest themselves to your experienced

minds will have to be done, in order to prepare for a future classification of such lands as may be held by the Territory. And in view of the prospective necessity for relinquishing certain lands legally claimed by prior settlement, it is necessary that this work be done at once, so that suitable selections may be made, not only in lieu of such tracts as may not be legally tenable by the Territory, but also where advantageous changes can be made for tracts more suitable or valuable, on account of situation or otherwise.

At present we are in comparative ignorance of the work of our predecessors; and we deem it highly necessary to ascertain the character and condition of the lands selected before making any recommendations to your honorable body regarding their disposition to settlers or to the public. The Board has no office in which to meet or do business, and no funds whatever to meet current expenses, whether for defending the interests of the Territory against unlawful contestants, or for other proper purposes. We therefore ask that an appropriation be made of \$8,000 as a contingent fund to meet the expenses of office room and stationery, traveling and other necessary expenses, including defense against illegal claims, also maps and field notes of lands surveyed, and for compensation of Commissioners for the next two years. And as the cost of maps and some other expensive work will have to be met during the present year, that the sum of \$5,000 of said appropriation be placed at our disposal during the year 1886, and the remainder in the year 1887.

And we feel confident that the inhabitants of the Territory will deem this a wise and proper expenditure, and it is certainly one that every well wisher of education will endorse.

We are, gentlemen, very respectfully,

Your obedient servants,

F. A. MITCHELL,

CHAS. W. STAYNER,

ISAAC M. WADDELL,

Commissioners to Locate University Lands for the Territory of Utah.

Salt Lake City, U. T., February 23, 1886.

Adopted.

By permission Mr. McLaughlin presented a bill entitled "A bill providing means for the payment of officers of the Legislature and Insane Asylum Directors."

Read first and second times, amended and referred to the Committee on Judiciary, with instructions to report at their earliest convenience.

Mr. King moved that the Sergeant-at-Arms be instructed to furnish each member with his bill for stationery during the session.

Carried.

At 3:40 p. m. the House took a recess until 8 p. m.

At 8 p. m. the Speaker called for order, and the House resumed session.

REPORT OF COMMITTEE ON ENROLLMENT.

Committee Room,
March 11, 1886.

Mr. Speaker:

Your Committee on Enrollment beg leave to report that the following House bills have been correctly enrolled:

H. F. No. 79, amending an act to incorporate the city of Provo, etc.

H. F. No. 81, amending an act incorporating Mount Pleasant, etc.

H. F. No. 32, amending Smithfield City charter, etc.

And were forwarded to the Governor for his approval at noon this day.

JOS. A. WEST,
Chairman.

COMMUNICATION FROM THE GOVERNOR.

Hon. W. W. Riter, Speaker of the House:

I herewith return H. F. No. 29.

I recommend that in Section 4, in the second line, the words "head of" be stricken out.

To Section 2, add the following: "Provided that the owner or lawful occupant of land shall have the right to drive from such land any cattle, horses or sheep, which may be trespassing thereon."

Strike out Section 11, as it is fully covered by Section 2.

For Section 5 substitute the following: "Every butcher before slaughtering neat cattle, shall make and keep a record of the marks, brands, age, sex and color of each animal slaughtered, and from whom and when purchased, which record shall be kept open at all reasonable times to the inspection of the inspector and all parties who may be interested therein. The inspector shall, at some time during each month, make an inspection of such records of marks and brands; and any butcher who shall not honestly keep such records shall be guilty of a felony, and punishable by imprisonment in the penitentiary not exceeding three years, or by a fine not more than one thousand dollars, or by both at the discretion of the Court. The inspector shall be entitled to receive ten cents for each head of neat cattle so recorded. All persons other than butchers, who occasionally slaughter neat cattle for beef, either for home consumption or for other purposes, shall on the premises where slaughtered expose the hide or hides thereof for a period of ten days immediately following the slaughter."

In Section 10, strike out from the word "drover," on the first line, down to, and including the word "or," on the fifth line, and insert the word "and" before the word "who" on said line.

Very respectfully,

ELI H. MURRAY,

Governor.

Bill, together with amendments suggested by the Governor, referred to the Committee on Live Stock.

H. F. 15, a bill amending an Act incorporating Richfield, in Sevier County, was amended in accordance with the verbal suggestion of the Governor, by striking out the word "suppress," and repassed.

Ayes—Anderson, Baty, Clark, Creer, Cannon,

Howell, Houston, Lund, McCullough, McLaughlin, Rider, Stratford, Stuart, Smoot, Thurber, Thurman, Woolley, West, Young—19.

Noes—0.

Absent—Farnsworth, King, Hatch, Kimball—4.

Title approved.

A communication from the County Clerk of Washington county, giving information concerning the expenditure of certain appropriations for the construction of roads and bridges in Washington County was read.

Mr. Thurman presented a Joint Memorial to the Congress of the United States, asking that it grant a title to a certain tract of land to be used in aid of the Territorial Insane Asylum.

Unanimously carried.

COMMUNICATION FROM THE GOVERNOR.

Territory of Utah,
Executive Office,
Salt Lake City, March 11, 1886. }

Hon. W. W. Riter, Speaker of the House:

SIR.—I return herewith H. F. No. 65, entitled, "An Act to amend Chapter X., of the Laws of Utah, 1884.

If Section 4 be stricken out the bill, will, I think, be satisfactory to me.

Very respectfully,

ELI H. MURRAY,
Governor.

Bill amended in accordance with the Governor's suggestion, and repassed.

Ayes—Anderson, Baty, Clark, Creer, Cannon, Farnsworth, Howell, Lund, McCullough, McLaughlin, Rider, Stratford, Stuart, Smoot, Thurber, Thurman, West, Young—18.

Noes—0.

Absent—Houston, King, Kimball, Hatch, Woolley,
—5.

Title approved.

By permission, Mr. Thurman presented a bill entitled, "A bill for the benefit of prisoners released from the Territorial Penitentiary for good conduct.

Read the first time.

Read the second time, and referred to the Committee on Penitentiary and Reform School.

COMMUNICATION FROM THE GOVERNOR.

Territory of Utah,
Executive Office,
Salt Lake City, March 11, 1886. }

Hon. W. W. Riter, Speaker of the House:

SIR.—I return herewith H. F. No. 62, entitled, "An Act amending An Act revising the Code of Civil Procedure of Utah Territory, approved March 13, 1884.

Objections having been made by a great number, I am of the opinion that the Act, with that exception would be a proper one.

Very respectfully,
ELI H. MURRAY,
Governor.

Bill amended in accordance with the Governor's suggestions and repassed.

Ayes—Anderson, Clark, Creer, Houston, Howell, King, McCullough, McLaughlin, Rider, Stuart, Stratford, Thurber, Thurman, West, Young—15.

Noes—0.

Absent—Cannon, Farnsworth, Hatch, Kimball, Lund, Smoot, Woolley, Baty—8.

Title approved.

MESSAGE FROM THE COUNCIL.

Council Chamber,
March 11, 1886.

Mr. Speaker:

I am directed to inform your honorable body that

the Council has this day passed substitute for C. F. 38, amending Section 4 of Chapter XXX., Session Laws of 1884; this bill has been framed and passed in accordance with suggestions of His Excellency, the Governor, in his message of the 8th inst., which is also submitted for your information.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Bill read first time.

Read second time by its title and referred to the Committee on Education.

By permission Mr. Creer introduced a bill, entitled "A bill to amend Section 21, Chapter XLIX., Laws of Utah, 1884.

Read first time.

Read second time, by its title.

Read third time, by its title, under a suspension of the rules, and passed.

Ayes—Anderson, Baty, Clark, Creer, Cannon, Howell, Houston, King, McCullough, McLaughlin, Rider, Stratford, Stuart, Thurber, Thurman, Woolley, West, Young—18.

Noes—Smoot—1.

Absent—Hatch, Kimball, Lund, Farnsworth—4.

Title approved.

REPORT OF COMMITTEE ON PENITENTIARY AND REFORM SCHOOL.

Committee Room,
March 11, 1886.

Mr. Speaker:

Your Committee on Penitentiary and Reform School, to whom was referred H. F. 84, beg leave to report that they have considered the same, and recommend that the accompanying amendments be made to it, and it be put upon its passage.

Respectfully,
A. H. LUND,
Chairman.

Amendments proposed by the Committee adopted, and the bill passed.

Ayes—Anderson, Baty, Clark, Creer, Cannon, Houston, King, Lund, McCullough, Stratford, Smoot, Thurber, Thurman, Woolley, West, Young—16.

Noes—Howell, McLaughlin, Rider, Stuart—4.

Absent—Hatch, Farnsworth, Kimball—3.

Title approved.

Mr. Thurman, by permission, presented a joint resolution, authorizing the payment of jurors' certificates in civil cases, which was read first, second and third times, and passed.

Ayes—Anderson, Baty, Clark, Creer, Cannon, Houston, Howell, King, Lund, McCullough, McLaughlin, Rider, Stratford, Stuart, Smoot, Thurber, Thurman, Woolley, West, Young—20.

Noes—0.

Absent—Farnsworth, Hatch, Kimball—3.

MESSAGES FROM THE COUNCIL.

Council Chamber,
March 11, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed substitute for H. F. 14 to amend Section 21 of Chapter XLIX., Laws of 1884 and the same is now returned.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Council Chamber,
March 11, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed Joint Memorial to Congress for title to certain lands adjoining the Territorial Insane Asylum, and same is now returned.

The Council has passed H. F. 65, to amend Chapter X., of the Laws of 1884, as amended by the House to meet

His Excellency the Governor's objections, and same is also returned.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

REPORT OF COMMITTEE ON EDUCATION.

Committee Room,
March 11, 1886.

Mr. Speaker:

Your Committee on Education, to whom was referred substitute for C. F. 38, respectfully report the same back with amendments, and recommend that as amended the bill pass.

Respectfully,
CANNON,
Chairman.

Report adopted and the bill passed.

Ayes—Anderson, Baty, Clark, Cannon, Howell, Houston, King, Lund, McLaughlin, McCullough, Rider, Stratford, Stuart, Smoot, Thurber, Woolley, West, Young—18.

Noes—0.

Absent—Hatch, Creer, Farnsworth, Kimball, Thurman—5.

Title approved.

At 10 p. m., the House took a recess for thirty minutes.

At 10:35 p. m. the House resumed session.

MESSAGE FROM THE HOUSE.

Council Chamber,
March 11, 1886.

Mr. Speaker:

I am directed to inform your honorable body, that

the Council has this day concurred in House amendments to substitute for C. F. 38, amending section 4, Chapter XXX., Laws of 1884, and same has been referred for enrollment.

Respectfully,
 HEBER M. WELLS,
Chief Clerk.

COMMUNICATION FROM THE GOVERNOR.

Territory of Utah,
 Executive Office,
 Salt Lake City, March 11, 1886. }

Hon. W. W. Riter, Speaker of the House:

SIR.—I have this day approved and filed with the Secretary of the Territory:

H. F. No. 77, entitled an Act to lessen the terms of sentence of convicts for good conduct.

H. F. No. 79, entitled an Act amending an Act to incorporate Provo City, approved, January 21, 1864.

H. F. No. 8, entitled, an Act amending an Act, entitled an Act to incorporate American Fork, Utah County.

Very respectfully,
 ELI H. MURRAY,
Governor.

MESSAGE FROM THE COUNCIL.

Council Chamber,
 March 11, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day received a communication from His Excellency the Governor nominating certain persons for the offices of Territorial Librarian, Recorder of Marks and Brands and Sealer of weights and Measures; said

communication is herewith forwarded for your information.

Respectfully,
 HEBER M. WELLS,
Chief Clerk.

Governor's communication to Council read.

REPORT OF THE COMMITTEE ON LIVE STOCK.

Committee Room.
 March 11, 1886.

Mr. Speaker:

Your Committee on Live Stock, to whom was referred H. F. No. 29, with His Excellency's objections thereto, having considered the same, report it back with the accompanying amendment, and recommend that it be put upon its passage.

KIMBALL,
Chairman.

Adopted, and the bill passed.

Ayes—Anderson, Baty, Clark, Creer, Farnsworth, Houston, King, Kimball, Lund, McCullough, McLaughlin, Rider, Stratford, Smoot, Thurber, Woolley, Young—17.

Noes—0.

Absent—Cannon, Thurman, West, Stuart, Hatch, Howell—6

Title approved.

MESSAGES FROM THE COUNCIL.

Council Chamber,
 March 11, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed H. F. 62, amending the Civil Code, as amended to suit His Excellency the Governor, and the same is now returned.

Respectfully,
 HEBER M. WELLS,
Chief Clerk.

Council Chamber,
March 11, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed H. F. 15, amending the Richfield charter, as amended by the House agreeable to the suggestions of His Excellency the Governor, and same is now returned.

The Council has passed C. F. 43, to prevent the befouling of waters used for domestic purposes, a new bill framed and passed to meet His Excellency the Governor's objections to C. F. 32; same is forwarded for your action.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

C. F. 43, read first and second times, by its title, read third time, under a suspension of the rules, and passed.

Ayes—Baty, Cannon, Farnsworth, Howell, Houston, King, Kimball, Lund, McCullough, Rider, Stratford, Thurber, Woolley, West—14.

Noes—McLaughlin, Creer, Houston—3.

Absent—Hatch, Thurman, Clark, Stuart, Smoot, Anderson, Young—7.

Title approved.

MESSAGES FROM THE COUNCIL.

Council Chamber,
March 11, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day received a communication from His Excellency the Governor making certain nominations for the offices of Chancellor, Board of Regents and Treasurer of the University of Deseret, which is forwarded for your information.

The Council has also received a communication from His Excellency the Governor, nominating persons

to be directors of the Territorial insane asylum, which is also forwarded you for information.

Respectfully,
 HEBER M. WELLS,
Chief Clerk.

Council Chamber,
 March 11, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day concurred in House amendments to H. F. 29, branding, herding and care of stock, made in accordance with suggestions of His Excellency the Governor, and passed the same as amended, which is now returned.

Respectfully,
 HEBER M. WELLS,
Chief Clerk.

Council Chamber,
 March 11, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day received a message from His Excellency the Governor, approving C. F. 27, amending Morgan City charter, and C. F. 28, amending Moroni City charter.

Respectfully,
 HEBER M. WELLS,
Chief Clerk.

COMMUNICATION FROM THE GOVERNOR.

Territory of Utah,
 Executive Office,
 Salt Lake City, March 11, 1886. }

Hon. W. W. Riter, Speaker of the House:

SIR:—I herewith return H. F. No. 50, without my approval.

Probate Judges are the presiding officers of County

Boards of Equalization, and therefore are the most disqualified of all others, officers or citizens, to compose a Territorial Board of Equalization.

The bill names a Territorial board, to consist of seven persons, six of whom are Probate Judges. Under the law, the board cannot be constituted as this bill proposes.

This subject is an important one, and the necessities of the Territory demand, and I trust we may yet perfect an inexpensive and well-guarded law.

Respectfully,

ELI H. MURRAY,
Governor.

Bill, with the Governor's objections, referred to the Committee on Ways and Means.

MESSAGES FROM THE COUNCIL.

Council Chamber,
March 11, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day received from His Excellency the Governor a message approving the following bills:

C. F. 7, amending Sections 4 and 5 of Chapter XLV. Laws of 1884.

C. F. 8, pertaining to highways.

C. F. 20, amending Sections 578 and 580, Compiled Laws.

C. F. 41, amending Logan City charter.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

Council Chamber,
March 11, 1886.

Mr. Speaker:

I am directed to inform your honorable body that

the Council has this day concurred in House amendments to H. F. 66, amending Lehi City charter, and passed the same as amended, which is herewith returned.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

Mr. Stratford, chairman of the Committee on Ways and Means, to whom was referred H. F. 50, together with the Governor's objections thereto, recommended that the House do not accede to the Governor's suggestions.

On motion of Mr. Stratford, the report of the committee, the bill and the Governor's objections were laid on the table.

MESSAGE FROM THE COUNCIL.

Council Chamber,
March 11, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed H. F. 84, for the benefit of prisoners released from the penitentiary, with amendments, and same is now returned for your action on said amendments.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Council amendments to H. F. 84, concurred in, and bill sent to the Committee on Enrollment.

By permission, Mr. King introduced a bill entitled, "A bill providing for the impounding of animals, and prescribing the regulations of pounds and for the disposing of estrays."

Read first time.

Read second time, by its title.

Read third time, by its title, under a suspension of the rules, and passed.

Ayes—Anderson, Clark, Cannon, Houston, King, Kimball, Rider, Smoot, Thurber, Thurman, West, Young, Creer, Howell—14.

Noes—0

Absent—Baty, Farnsworth Hatch, Lund, Stratford, Stuart, Woolley—7.

Not voting—McCullough, McLaughlin—2.

Title approved.

By permission, Mr. King introduced a bill entitled, "A bill to prevent the spread of contagious diseases among stock."

Read first and second times by its title.

Read third time under a suspension of the rules and passed.

Ayes—Baty, Clark, Cannon, Farnsworth, Houston, Howell, King, Lund, Rider, Thurber, Woolley, West, Young—13.

Noes—0.

Absent—Anderson, Creer, Hatch, Kimball, McCullough, McLaughlin, Stratford, Stuart, Smoot, Thurman—10.

Title approved.

MESSAGE FROM THE COUNCIL.

Council Chamber,
March 11, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed H. F. 86, to prevent the spread of contagious diseases among stock, without amendment: and H. F. 85, for impounding animals and prescribing regulations of pounds. etc., with amendments; both of which are now forwarded for appropriate action.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Council amendments to H. F. 85 concurred in, and bill sent to the Committee on Enrollment.

REPORT OF SELECT JOINT COMMITTEE.

Committee Room,
March 11, 1886.

Mr. Speaker:

Your Select Joint Committee, to whom was referred the several veto messages of His Excellency, the Governor, beg leave to report on the following vetoes, to-wit: On his veto of the appropriation bill and the bill amending the charter of Ogden City.

Respectfully submitted,

JOSEPH A. WEST,
Chairman House Portion of Joint Committee.

Again and again during this session of the Legislative Assembly have we been met by the servile vaporings of an unscrupulous demagogue, whose official conduct exemplifies beyond power of refutation, that he is an enemy—bitter and vindictive—to the people of this Territory, and a determined obstructionist of needful legislation, and of peace and prosperity.

He has attempted to intimidate the Legislature by publicly and privately proclaiming that until "matters of primary importance are disposed of, it may not be expected or hoped that measures would be favorably considered by him;" and his official conduct towards the people's representatives has exhibited an animus dispicable and unworthy his high calling.

And now as a fitting finale of his arrogant course, he transmits to us as an executive document, a message abounding in insults, replete with falsehoods, having for its object the disruption of the Territorial Government, and the enslavement of a free people. With haughty mien he has trampled upon the prerogatives of the

people, and flaunting the "bloody shirt," he has defiantly resisted the efforts of the members of this Legislative Assembly to satisfy the demands for wholesome and needful legislation. And as a justification of his Dionysian action in vetoing H. F. No. 67, "The General Appropriation Bill," he submits the annexed communication.

(See House Minutes, 59th day, for veto message.)

And this is the adamant foundation upon which he rears his superstructure, and these are the *reasons* (?) which restrain his hypocritical nature, and demand that "he no longer do violence to his intelligence and sense of what is patriotic," by withholding his executive approval from this important measure! We have "another *Daniel* (?) come to judgment!" By his superhuman effort in vetoing this bill, he designs to manifest to the world that "he has endeavored to abolish the doctrine of hate, to foster a love of country, and of obedience to laws;" to show "his allegiance to the the Government of the United States;" to exemplify his love "and *kind* (?) impulses towards the people of Utah;" and to proclaim to lovers of freedom everywhere that the "people of Utah have his *truest* sympathy and best energies, and hopes for their prosperity and welfare."

What a noble patriot! What profound, unexampled love!

Upon the Legislature devolves the duty of appropriating of the Territorial funds, to meet the legitimate expenses of the Territorial government. In pursuance of this duty, the following carefully prepared Appropriation Bill was drawn:

AN ACT

MAKING APPROPRIATIONS FOR GENERAL PURPOSES.

Be it enacted by the Governor and Legislative Assembly of the Territory of Utah: That the following sums of money are hereby appropriated out of any money in the Territorial treasury—not otherwise appropriated, for the objects hereinafter expressed:

1	For the salary of Territorial Superintendent of District Schools for 1886 and 1887, one half to be paid each year, ...\$	1,500.00
2	For salary of Auditor of Public Accounts for 1886 and 1887, one half to be drawn each year, ...	3,000.00
3	For salary of Territorial Librarian for 1886 and 1887, one half to be drawn each year, ...	500.00
4	For salary of Territorial Treasurer for 1886 and 1887, one half to be drawn each year, ...	1,500.00
5	For expenses of printing and contingent expenses of Territorial School Superintendent's office for 1886 and 1887, one half to be drawn each year, ...	500.00
6	For incidental expenses of the offices of Auditor, Treasurer, Librarian, Sealer of Weights and Measures and Recorder of Marks and Brands for 1886 and 1887, one half to be drawn each year, or so much thereof as may be necessary,....	1,000.00
7	For rent of rooms for the last named officers for 1886 and 1887, one half to be drawn each year, ...	1,200.00
8	To pay deficiency of witnesses in criminal cases, and jurors in criminal cases for 1884 and 1885, as reported by the Auditor of Public Accounts, ...	22,068.22
9	For Messenger and expenses of the executive office or so much thereof as may be necessary, ...	2,250.00
10	For incidental expenses of the offices of Auditor and Territorial Treasurer in the years 1884 and 1885, to be drawn on the order of Nephi W. Clayton, ...	97.10
11	James Jack and Nephi W. Clayton for witness fees and mileage in the case of the People, etc., vs. Josiah Rogerson and others, ...	115.50
12	To Zera Snow for legal services in the case of People vs. Marshall and others,	150.00

13	To Benjamin Bachman, Deputy Clerk of the First Judicial District, for attendance at Court during the years 1884 and 1885, and for fees and services during the same period, as per bill rendered, ...	\$ 758.25
14	To J. R. Wilkins, Clerk of the Second Judicial District, for attendance at court during the years 1884 and 1885, and for fees and other services, as per bill rendered, ...	1,290.02
15	To J. R. Wilkins for statement of fines, forfeitures collected and mode of paying jurors, etc., in the Second Judicial District, as per bill rendered, ...	5.00
16	To E. T. Sprague for fees as clerk of the Supreme Court of the Territory of Utah, in Territorial criminal cases for the years 1884 and 1885, ...	130.00
17	To John M. Zane, Clerk of the District Court for the Third Judicial District, for fees in cases brought in said court under the criminal code of the Territory during the years 1884 and 1885, ..	1,141.80
18	To John W. Turner for services and expenses incurred in the prosecution of Frederick Hopt in the years 1884 and 1885, ...	718.25
19	To L. W. Roundy, for payment of Auditor's Warrant No. 4330, dated Dec. 11th, 1875, on account of Harrisburg and Bellevue road, ...	8.50
20	To William Fotheringham, for examining records in the Second Judicial District Court in the years 1884 and 1885, ...	150.00
21	To A. O. Smoot, Jr., Assessor and Collector of Utah County, for relief on account of delinquent taxes for the year 1884, ...	85.71
22	To John W. Turner, ex-Collector of Utah County for relief on account of uncollected taxes for the years 1882 and	

	1883,.....\$	141.27
23	To L. H. Redd, Jr., ex-Assessor and Collector of San Juan County, for relief on account of delinquent taxes for the year 1884, ...	10.75
24	To Gibbs & Irvine, for services as reporters in connection with the visit of the Wyoming Legislature in 1884,.....	35.00
25	To the Auditor of Public Accounts, as a contingent fund for employing counsel when necessary in prosecuting delinquent collectors in 1886 and 1887, or so much thereof as may be necessary....	1,000.00
26	To Daniel Harrington, for services as Minute Clerk of the House for the Twenty-Seventh Session,.....	300.00
27	To Daniel Leatham, Usher, for services for the Twenty-Seventh Session,.....	240.00
28	To William Aston, Assessor and Collector of Uintah County, for relief on account of delinquent taxes for the years 1880-1882-1884-1885, ...	60.87½
29	To A. G. Johnson, Assessor and Collector of Tooele County, for relief on account of delinquent taxes for the year 1884, ..	95.49½
30	To J. D. Smith, ex-Assessor and Collector of Millard County, for relief on account of delinquent taxes for the years 1882 and 1884,.....	22.50
31	For repairing the road through Clear Creek Canyon in Sevier County, to be drawn and expended under the direction of the County Court of Sevier County; provided, that said County expend on said road a like sum of five hundred dollars in addition to the amount herein appropriated, ...	500.00
32	To Millard County, to aid in constructing a bridge across the Sevier River at Deseret, to be drawn and expended under the direction of the County Court of said County,.....	700.00

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|---|---|-----------|
| 33 | To Tooele County, to be expended on roads in said County as follows; on the road between the terminus of the Utah & Nevada Railway and Ophir,... | \$ 800.00 |
| 34 | On the road between Stockton and Grantsville, ... | 200.00 |
| 35 | On the County road between the points known as the County Mill and Knowlton's Ranch,..... | 200.00 |
| <p>Provided: that Tooele County expend on each of said roads the sum of two hundred dollars—six hundred dollars in all; this appropriation to be drawn and expended under the direction of the County Court of said County, ...</p> | | |
| 36 | To Garfield County, to assist in building bridges and repairing roads between Circle Valley and Panguitch, to be drawn and expended under the direction of the County Court of said County, ... | 500.00 |
| 37 | To Kane County, to repair the road through Kanab Canyon and to build a bridge across the Kanab River, to be drawn and expended under the direction of the County Court of said County, ... | 1,500.00 |
| 38 | To Beaver County, for the improvement of the roads between Minersville and Milford, and between Minersville and Beaver City, to be drawn on the order of the County Court of said County,... | 1,000.00 |
| 39 | To Emery County, for the purpose of building bridges in Castle Valley, to be drawn and expended under the direction of the County Court of said County, ... | 3,500.00 |
| 40 | To Rich County, for constructing and repairing roads in said Rich County, to be drawn and expended under the direction of the County Court of Rich | |

	County, ...	\$ 750,00
41	To Piute County, for the construction of a wagon road from Freemont Valley to the Colorado River, to be drawn and expended under the direction of the County Court of said County, ...	1,500.00
42	To San Juan County, for the construction of a wagon road from the Colorado River to the Northern boundary of Arizona on the route surveyed and located by George Brinkerhoff, of Piute County, to be drawn and expended under the direction of the County Court of said San Juan County, ...	1,500.00
43	To San Juan County, for the construction of a wagon road from Bluff City to Thompson's Springs, to be drawn and expended under the direction of San Juan County, ...	2,000.00
44	To Wasatch County, to assist in the construction of a wagon road along the Provo River, from Hailstone's Ranch to Jones' Store; provided, that Wasatch County expend the sum of two hundred and fifty dollars on said road in addition to the amount herein appropriated; to be drawn and expended under the direction of the County Court of Wasatch County, ...	750.00
45	To Summit County, to assist in the construction of a wagon road along the Provo River from Hailstone's Ranch to Jones' Store; provided, that Summit County expend the sum of two hundred and fifty dollars on said road in addition to the sum herein appropriated; to be drawn and expended under the direction of the County Court of Summit County, ...	750.00
46	To Box Elder County, to repair the main highway into Cache County from Brigham City to the Summit between	

	Cache and Box Elder Counties, ...	\$ 1,000.00
47	To Box Elder County, to open and improve the roads in the western part of said County, ...	1,250.00
	<i>Provided</i> , that Box Elder County expends one thousand dollars on said western roads in addition to the amount herein appropriated, appropriation to be drawn and expended under the direction of Box Elder County Court	
48	To Cache County, to be expended on the Sardine Canyon route, ...	750.00
49	To Cache County, to be expended between the mouth of Wellsville Canyon and the boundary between Cache and Box Elder, ...	500.00
	To be drawn and expended under the direction of the County Court of Cache County	
50	To Garfield County, for the construction of a wagon road from Cannonville to Escalante, to be drawn and expended under the direction of the County Court of said County, ...	200.00
51	For transportation of safe from Ogden to Beaver, for use of the Second District Court, or so much thereof as may be necessary, to be drawn on the order of the Clerk of said Court, vouchers to accompany the orders on the Auditor for payment, ...	200.00
52	For the purpose of educating "deaf mutes" in the University of Deseret, to be drawn and expended by the Chancellor and Board of Regents, ...	6,000.00
53	To the Orphans' Home of Salt Lake City, to be drawn and expended under the direction of the Board of Directors or Trustees, after said institution shall have been duly incorporated for the purposes set forth in the petition ask-	

	ing for an appropriation,.....\$	1,000.00
54	For paying the expenses of the Commission from Utah, in exhibiting the products of the Territory at the American Exposition to be held in London, England, in 1887, to be drawn and expended under the direction of the Commissioners who may be duly appointed by the proper authority,.....	5,000.00
55	For the purpose of defraying the expense of the Commission from Utah at the North, Central and South American Exposition now being held at New Orleans,.....	1,000.00
56	For completing and furnishing the Deseret University buildings, to be drawn and expended under the direction of the Chancellor and Board of Regents,.	60,000.00
57	To Iron County, to assist in constructing a wagon road from Kanarra to Assay's Ranch, in Garfield County, to be drawn and expended under the direction of of the County Court of Iron County, ..	500.00
58	To W. H. King, Assessor and Collector of Millard County, for relief on account of delinquent taxes for the year 1885,....	133.08
59	For contingent expenses of the House, twenty-seventh session, to be drawn on the order of Levi Snow, Sergeant-at-arms, to be paid by him on bills certified to by Speaker of House,.....	708.00
60	For the purchase of the statutes of California, Nevada, Wyoming, Idaho, Montana, Colorado, Arizona, New Mexico, Kansas, Nebraska, Dakota, Minnesota, Oregon, ...	200.00
	Or so much thereof as may be necessary, to be drawn and expended under the direction of the Territorial Librarian.	
61	To J. H. Parry & Co., for printing during the twenty-sixth session,.....	86.60
62	To aid Piute County repair the bridge	

	over the Sevier River, in Marysvale, build two bridges over said river in Circle Valley, and to improve the road in Circle Valley, to be drawn and expended under the direction of the County Court of said county; <i>Provided</i> , That Piute County expend the sum of \$300.00 on said bridges and roads,.....\$	700.00
63	To A. E. Merriam, Assessor and Collector of Sanpete County, to reimburse him for uncollectable Territorial taxes paid by him into the Treasury,.....	224.30
64	To W. A. C. Bryan, for engrossing during the twenty-sixth session,.....	18.00
65	To Star Printing Company, for printing during the twenty-sixth session,.....	82.50
66	To aid Washington County repair the bridge over the Rio Virgin River near St. George, to be drawn and expended under the direction of the County Court of said county; <i>Provided</i> , That Washington County expend sufficient to complete said bridge,.....	1,500.00
67	To assist Washington County repair the roads between Toquerville and Rockville in said county, to be drawn and expended under the direction of the County Court of said county,.....	500.00
68	To aid Cache County build a bridge over Bear River in said county, to be drawn and expended under the direction of the County Court of said county, ...	4,000.00
69	To assist Davis and Weber Counties build a bridge over Weber River, near the mouth of Weber Canyon, to be drawn and expended by a commission appointed by the County Courts of said counties, ...	3,000.00
70	To <i>Deseret News</i> Company for records and blanks for Auditor's office (blanks furnished clerks of District courts),.....	53.00
71	To V. L. Halliday for services as minute	

	clerk of the Council for the twenty-seventh session,.....\$	300.00
72	To Alfred Ridges for services as Usher for the Council for the twenty-seventh session, ...	240.00
73	For contingent expenses of the Council for the twenty-seventh session, to be drawn on the order of J. G. Kimball, Sergeant-at-arms, ...	590.00
74	To Weber County for repairing road in Weber Canon, at Devil's Gate, to be drawn and expended under the direction of the County Court of Weber County, ...	1,000.00
75	For the relief of Kane County on account of the Legislature having changed its boundary lines, to be drawn by the County Court of Kane County,.....	783.81
76	To O. G. Snow, Collector of Box Elder County, for relief on account of delinquent taxes for the years 1880 to 1884, inclusive,.....	249.58
77	For the payment of official reporters in Territorial criminal cases of the several District Courts of this Territory during the years 1886 and 1887, or so much thereof as may be necessary,.....	5,000.00
78	To Juab County to be drawn and expended by the County Court of said county in constructing and repairing a road through Salt Creek Canon, ...	800.00
79	To W. N. Dusenberry, services in compilation, twenty-sixth session,.....	72.00
80	To Samuel Slaughter, for court certificates of witness fees in the case of Territory of Utah vs. Josiah Rogerson,....	28.20
81	To Wm. Reeves, ex-Assessor and Collector of Davis County, for relief, on account of uncollectable Territorial taxes,.... <i>Provided, Said Wm. Reeves pay the Territorial Treasurer before the first day of June of 1886, the remainder of delin-</i>	421.72

	quent Territorial taxes due from him, viz., \$517.29	
82	For the purpose of stocking the rivers and streams of the Territory with fish from the Government hatcheries at Washington, D. C., to be drawn and expended by A. M. Musser, one-half in 1886 and one-half in 1887, ...	\$ 2,000.00
83	To Jno. Snowball, Assessor and Collector of Rich County, for relief on account of uncollectable taxes, ...	50.65
84	To A. C. Emerson, Clerk of the First Dis- trict Court, fees in Territorial criminal business, ...	549.45
85	To Jno. L. Brasher, ex-Assessor and Col- lector of Emery County, for relief on account of uncollectable taxes, ...	79.21
86	To Jno. D. Killpack, Assessor and Col- lector of Emery County, for relief on account of uncollectable taxes, ...	44.95
87	To the <i>Deseret News</i> Co., printing during the twenty-seventh session, ...	1,515.96
88	To Salt Lake County for the purpose of repairing, draining and grading the county road between Salt Lake City and Spencer's ranch at the west point of the mountain in said county; <i>Provided</i> , The County Court of said county expend a like amount for said purposes, to be drawn and expended under the direc- tion of the County Court of Salt Lake County, ...	1,000.00
89	To Utah County, to reimburse said County for the rent of Court House for the First Judicial District Court, from June 30, 1884, to July 1, 1886, ...	1,000.00
90	To Uintah County, for the construction of a bridge across the Uintah River, to be drawn and expended under the direc- tion of the County Court of said County; <i>Provided</i> , said County expend the sum of five hundred dollars additional for	

	the above purpose,.....	1,000.00
91	For the expenses of the Territorial Insane Asylum for the years 1886 and 1887, one-half to be drawn each year by the Board of Directors,.....	25,000.00
92	For the payment of witnesses and jurors in criminal cases in the District Courts of this Territory, for the years 1886 and 1887, one-half to be drawn each year in equitable proportions to each District, to be determined upon by the Auditor of Public Accounts,.....	40,000.00
	<i>Provided</i> , That the above amount shall be drawn only upon vouchers duly authenticated for services as witnesses and jurors in cases in which the Territory is liable therefor; <i>Provided</i> , further, that jurors in criminal cases where the Territory is liable therefor, shall be paid \$1.50 per day for each day's actual attendance at Court, and fifteen cents per mile one way for the distance necessarily traveled from the place of summons to place of holding Court.	
93	To N. W. Clayton, Auditor of Public Accounts, to reimburse him for clerk hire for the past four years,.....	3,000.00
94	To James Jack, Territorial Treasurer, increase of salary for the past two years,	500.00

This was passed and forwarded to His Excellency for his approval, but was returned, accompanied by the "veto message" above alluded to.

To all it must be obvious that the Appropriation Bill is the most important measure of the session, for upon it depends the perpetuity of the Territorial institutions and the maintenance of the Territorial government.

Yet, in view, not only of its importance, but its necessity, an autocratic governor, laboring to secure the interposition of Congress, by which the local govern-

ment of this Territory would be wrested from the hands of the majority, willfully and with brazen effrontery vetoes it.

An examination of the aforesaid bill reveals that nearly one-third of the amounts therein appropriated are for the courts of the Territory; a large per cent. for the support of the Insane Asylum, and the completion of the Territorial University, and every item needful and legitimate.

No charge of extravagance or venality can be urged against the measure: no one for a moment can hold there is aught within that is "an insuperable objection to the bill becoming law."

Yet, an arbitrary tool, vested with unrestrained power, proclaims against it, without offering an intelligent reason, thereby impeding the operation of the machinery of the government, and plunging the Territory into distress.

If the "insuperable objection-" do not occur within the bill, where, then, are they to be discovered? Who but a dissimulating political trickster could detect "insuperable objections" to the duly elected representatives of the people appropriating the money of their constituents to meet the legitimate expenses of the government?

The veto message is based upon fabrication and feeble supports, generated in the mind of an ardent worshiper of Bacchus' shrine, and confirmed by the sinister oracle of the *Tribune* temple.

The first reason (?) advanced by His Excellency in extenuation of this monstrous step is "this bill contemplates the continuance in authority of the present usurping incumbents of the offices of Territorial Auditor and Treasurer, and to permit the disbursement of the public moneys through these agencies."

Admitting that the above-named officers are usurpers, is that sufficient reason to justify the Governor in withholding his signature to this bill? Should men usurp authority, would that be foundation for an executive officer to deliberately block the wheels of the government, and prevent the execution of the laws?

But it cannot be admitted that these officers are

"usurpers." Duly elected by the people, under statutes properly passed by the Legislature and approved by Congress, and not invalidated by the Courts, they have for years faithfully and honestly performed the functions of their positions. Far back, a generation ago, soon after the organization of the Territory, a law was passed making these officers elective by the joint vote of the Legislative Assembly. Under this law, which has never been contested, the offices of Auditor and Treasurer were filled for twenty-six years.

Then in order to more fully extend the principles of true republicanism, they were made elective by the people. This law was duly passed, and by the Governor of the Territory signed.

At an election under this statute, which was regarded by all as valid and constitutional, the present Auditor and Treasurer were chosen to fill these responsible positions. After qualifying as prescribed by law, they were commissioned by the present Governor, Eli H. Murray, as Auditor and Treasurer respectively, in and for Utah Territory. This is the history of the "usurpation," and the manner of entrance by these "usurpers" into these offices. If the law was invalid under which they were elected, why has not Congress disapproved of it? Why have not the courts of the Territory so declared it? And why did Eli H. Murray commission "usurpers" who were elected under it?

But admitting the law to be void, can the Legislature ignore it so long as it remains upon the statute books, or the courts of the Territory have not declared against its constitutionality? Laws tending to the increased liberty of the people cannot be revoked and abrogated at the *ipse dixit* of any person, even if he is greater than His Excellency, Governor Eli H. Murray. It is time enough to expunge from the country's laws, measures such as these, when courts or Congress pronounce against their validity. Because one branch of the Legislative Assembly refuses to override plain, unequivocal, and thus far undisputed laws, fashion themselves into iconoclasts, and batter down the precedents and practices of more than a generation, and confirm persons appointed to these positions by the Governor,

he, to effectively demonstrate his "*patriotic*" devotion to the country's good, refuses his assent to this bill so imperative to the Territory's progress.

He again urges that the sureties of these present incumbents, "in event of malfeasance or defalcation in office, could escape all pecuniary responsibility for the loss," because "they are serving under an illegal statute and a void election."

To bolster up his fallacious position, he resorts to insinuations and basest subterfuges, and attempts a reflection upon the honesty of the officers, and to impugn the honor of the sureties.

The position assumed upon this question by His Excellency is false, and not a lawyer in the Territory will admit that the acts of these officers are invalid, and for the reason assigned by the Governor, that the sureties are exempt from liability in the event of malfeasance of the principals.

"An additional objection" to this bill shot from the feeble bow of this would-be Hercules, "exists in the fact that nearly one-half of the appropriations, after passing through the hands of the persons assuming to be Auditor and Treasurer, are finally disbursed by boards chosen in a manner equally with these persons, in violation of the laws of Congress." This has reference to such appropriations as are made to support Territorial institutions, and the objections are founded upon a professed belief entertained by His Excellency that Section 7 of the Organic Act of the Territory confers upon the Executive the power and authority to appoint, by and with the consent of the Council, all the officers, boards, etc., appertaining to these and similar institutions. But in this as well as many positions assumed by him, the Governor stands almost singly and alone.

Those persons who have analyzed this question do not hesitate to pronounce his position untenable. No doubt can be entertained but that Congress placed within the hands of the Governor of the Territory, limited appointive power, and authority to fill such offices as could reasonably be contemplated as essential to the ordinary course of government; and not to local

boards, officers of Territorial institutions, etc., created by local statute.

The doctrine involving the power of the Governor to appoint Territorial officers, is exhaustively discussed in the case of the United States vs. Hatch (1st Wis. Reports). This case arose when Wisconsin was operating under an Organic Act similar to that of this Territory, in consequence of a controversy between the Legislature and the Governor over the Section 7 of their Organic Act, which is exactly the same as Section 7 of our Organic Act, with one exception, wherein the word "civil" is used in lieu of the word "Territorial."

The Court decided against the right of the Governor to appoint these local boards, and cited cases where the same principles had been raised with like results, in Pennsylvania.

The Legislature being assured of its rights under the Organic Act to provide for the officers of the institutions created by them, have made provisions for their selection, and have placed the disposition of the funds (with proper restrictions) necessary to the existence of the institutions, within their hands. To this His Excellency objects; this is one of these "insuperable objections to this bill becoming law."

Notwithstanding the fact that these local boards have been elected by the Legislature in time past, Eli H. Murray now interposes his arm and prevents the support of these institutions and the founding of others recommended by him (as the reform school) as being necessary to the Territory.

Having exhausted every semblance of argument to justify his infamous act in vetoing H. F. No. 67, he returns to the onslaught with further lies and insinuations. He intimates that the Church of Jesus Christ of Latter Day Saints controls the Territorial funds, that they go to build up the "Mormon" Church, etc.

No charge has ever been preferred against the Treasurer for official misconduct, but now he is arraigned in a base, cowardly manner, for being "Mormon" and having employment in the office of the "Mormon" Church.

Thus on charging the Territory with defiance of

the laws and the Courts (when statistics demonstrate less crime here than elsewhere) and falsifying the people, their institutions and sentiments, through column after column, His Excellency madly rushes, never halting to rest upon the summits of truth or consistency. We pronounce his veto message a tissue of lies and falsehoods, the woof and warp manufactured by unprincipled carpet-baggers and unrelenting enemies to Utah, freedom and constitutional guarantees.

His Excellency has no "moral or legal right" to veto the Appropriation bill; it is the act of a tyrant and can only be approbated by those whose aim is to enslave the people of this Territory.

Adopted.

WHEREAS, Governor Eli H. Murray has vetoed H. F. No. 63, "An Act to amend the Charter of Ogden City," and

WHEREAS, The chief object of the passage of said law, by the Legislature, was the punishment of sexual vice and lascivious conduct generally, and the suppression of houses of ill-fame and kindred evils; and

WHEREAS, The Governor's reasons for the vetoing of said bill are absurd, illogical and inconsistent, to-wit: He first asserts that the crimes aimed at in said bill should be covered by a general statute of the Territory, and declares that it is a crying evil that the Legislature should have forbore to legislate generally upon the subject, and yet to have given to local organizations power to deal with this class of offenses. This assertion on the part of His Excellency is little if anything short of the most unblushing effrontery, he being the chief and only cause of the absence of a general statute of the character of the one whose non-existence he pretends to deplore. An act of that nature was passed during the late session, and was by him vetoed. We hold that the power to punish such offenses as those which would have been dealt with by the act to amend the Charter of Ogden City, should be both general and local throughout the Territory, as we have shown by the laws passed on the subject. While the Governor

hypocritically claims to favor the punishment and suppression of sexual vice, by the arbitrary exercise of the veto power, he gives it direct encouragement. These being facts well understood, the moralizing in which Governor Murray takes occasion to indulge, in connection with the veto message immediately in question, constitutes, in our opinion, one of the most sorry exhibitions of human perversity and inconsistency on record. The climax of absurdity is reached when the Governor states as a basis for his veto, that the bill does not go far enough, because it does not touch upon certain sexual offenses which it fails to specifically enumerate. His other alleged reasons go to show that if the omissions of which he complains had not existed, the treatment the act would have received at his hands would not have been any different. It will be admitted that if a measure does not cover every offense of a given class, if it includes in its operation a part and its intent and direction are satisfactory, it is good as far as it goes. In consideration of the foregoing, be it

Resolved, That we repudiate the insinuation of Governor Murray to the effect that Utah is lower in the scale of morality than other parts of the Union, and that we hold on the contrary, that this Territory will compare favorably in that respect with any other part of the Republic ; also

Resolved, That in vetoing such measures as the one under consideration, while pretending to be in theory, a friend of chastity and morality, he has practically proved himself to be an enemy to both.

Adopted.

REPORT OF COMMITTEE ON JUDICIARY.

March 11, 1886.

Mr. Speaker:

The Committee on Judiciary, to whom was referred H. F. 83, providing means for the payment of officers of the Legislature and for the Insane Asylum, respectfully report that we have considered the same, and recom-

mend that it be rejected. The bill is far reaching in its consequences and involves the handling of large sums of money belonging to the Territory by a person not known to the law as a disbursing officer of Territorial funds.

HATCH,
Chairman.

Bill read and report adopted.

By permission, Mr. Howell introduced a bill entitled "A bill amending Chapter VIII., Laws of Utah, 1878.

Read the first time.

Read second time and referred to the Committee on Ways and Means.

MESSAGE FROM THE COUNCIL.

Council Chamber,
March 11, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed C. F. 35, a bill in relation to trusts, and the same is now forwarded for your action thereon.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

C. F. 35, read first time.

Read second time by its title, and referred to the Committee on Judiciary.

On motion of Mr. Smoot, the officers of the House were relieved from all share in the contingent expenses of the House.

By permission, Mr. King introduced a bill entitled "A bill to provide for the assignment of insolvent debtors."

Read first time, and referred to the Committee on Manufacture and Commerce.

Mr. Anderson presented the following:

Mr. Speaker:

I have received letter from home stating that one of my children is very sick and is not expected to live, hence I ask to be excused from further attendance of this House, to start home at 7:30 this morning.

Respectfully,

ANDERSON.

REPORT OF COMMITTEE ON WAYS AND MEANS.

Committee Room,
March 11, 1886.

Mr. Speaker:

The Committee on Ways and Means, to whom was referred H. F. 87, a bill to amend Chapter VIII., Laws of Utah, 1878, report that they have had the bill under consideration, and recommend that it be put upon its passage.

STRATFORD,
Chairman.

H. F. 87, read third time under a suspension of the rules, and lost.

Ayes—Baty, Cannon, Clark, Hatch, Howell, Lund, Stratford, West, Wooley—9.

Noes—King, Creer, Houston, Smoot, Thurman, Young, Kimball, Rider—8.

Absent—Anderson, Farnsworth, McCullough, McLaughlin, Stuart, Thurber—6.

MESSAGE FROM THE COUNCIL.

Council Chamber,
March 11, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed C. F. 45, amending an Act revising proceedings in justices' courts, which is herewith forwarded for your action.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

Committee Room,
March 11, 1886.

Mr. Speaker:

Your Committee on Manufacture and Commerce, to whom was referred H. F. 88, beg leave to report that we have duly considered the same, and return it, and recommend its passage.

STUART,
Chairman.
By CREER.

Adopted, and the bill read second time by its title.
Read third time by its title, under a suspension of the rules, and lost.

Ayes—Baty, Creer, Howell, Rider, Woolley, Young,
—6.

Noes—Thurman, Houston, Lund, Stratford, Smoot,
Thurber, Clark—7.

Absent—King, Farnsworth, Anderson, McLaughlin,
McCullough, Cannon, Hatch, Kimball, Stuart, West—10.

MESSAGE FROM THE COUNCIL.

Council Chamber,
March 11, 1886.

Mr. Speaker:

I am directed to inform your honorable body, that the Council has this day passed C. F. No. 4, amending Section 70 of the Code of Civil Procedure, which is herewith forwarded for your action thereon.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Bill read first and second times.

Read third time, under a suspension of the rules and passed.

Ayes — Baty, Clark, Creer, Farnsworth, Hatch,
Houston, Howell, Lund, McCullough, Rider, Stratford,
Thurber, Thurman, Young—14.

Noes—Woolley, King—2.

Absent—Anderson, Cannon, Kimball, McLaughlin, Stuart, Smoot—6.

In the Chair—West—1.

Title approved.

Council Chamber,
March 11, 1886.

Mr Speaker:

I am directed to inform your honorable body, that the Council has this day passed C. F. No. 9, amending Sections 212 and 214, Compiled Laws of Utah, and same is herewith forwarded for your action thereon.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

C. F. No. 9, read first and second times.

Read third time, under a suspension of the rules and passed.

Ayes—Baty, Clark, Creer, Houston, Howell, Lund, McCullough, Thurber, Thurman, Young, Wolley, Rider, Mr. Speaker—13.

Noes—0.

Absent—Anderson, Cannon, Farnsworth, Hatch, King, Kimball, McLaughlin, Stratford, Stuart, Smoot, West—11.

Title approved.

REPORTS OF COMMITTEE ON ENROLLMENT.

Committee Room,
March 11, 1886.

Mr. Speaker:

Your Committee on Enrollment, report that H. F. No. 66, an Act amending an Act to incorporate the city of Lehi, approved February 5, 1852; and H. F. 84, an Act for the benefit of Territorial prisoners released from the penitentiary, have been correctly enrolled, and this day forwarded to His Excellency for his action thereon.

WEST,
Chairman.
Per YOUNG.

Committee Room,
March 11, 1886.

Mr. Speaker:

Your Committee on Enrollment respectfully report that H. F. No. 29, an Act regulating the branding, herding and care of stock, has been correctly enrolled, and this day forwarded to His Excellency for his action thereon.

WEST,
Chairman,
Per YOUNG.

Committee Room,
March 11, 1886.

Mr. Speaker:

Your Committee on Enrollment report that H. F. No. 14, an Act to amend Section 21, Chapter XLIX. of the Laws of 1884; H. F. 65, an Act to amend Chapter X. of the Laws of Utah, 1884; and H. F. 15, an Act amending Chapter XIII. of the Session Laws of 1878, entitled, "An Act to incorporate the City of Richfield, Sevier County," have been correctly enrolled, and this date forwarded to His Excellency for his action thereon.

WEST,
Chairman.
Per YOUNG.

COMMUNICATIONS FROM THE GOVERNOR.

Territory of Utah,
Executive Office,
Salt Lake City, March 11, 1886. }

Hon. W. W. Riter, Speaker:

SIR:—I have approved and filed with the Secretary: H. F. No. 29, entitled, "An Act regulating the branding, etc., of stock."

Also, H. F. No. 15, amending the charter of City of Richfield.

Also, H. F. No. 14, entitled, "An Act to amend Section 21, Chapter XLIX., Laws of 1884.

Also, an Act to amend Chapter X., Laws of Utah,
H. F. No. 65.

Very respectfully,

ELI H. MURRAY,
Governor.

Territory of Utah,
Executive Office,
Salt Lake City, March 11, 1886. }

Hon. W. W. Riter, Speaker of the House:

SIR:—I have this day approved and filed in the
office of the Secretary of the Territory:

H. F. No. 62, entitled, "An Act amending an Act
revising the Code of Civil Procedure of Utah Territory,
approved March 13, 1884.

Very respectfully,

ELI H. MURRAY,
Governor.

REPORT OF COMMITTEE ON ENROLLMENT.

Committee Room,
March 11, 1886.

Mr. Speaker:

Your Committee on Enrollment, to whom was
referred the following bills, viz.: H. F. No. 62, substi-
tute for H. F.'s Nos. 5, 23, 37, and C. F.'s Nos. 12, 23 and
30, an Act amending an Act revising the Code of Civil
Procedure; H. F. No. 14, substitute amending Section
21, Chapter XLIX., Laws of 1884; H. F. No. 85, an Act
providing for impounding animals, etc.; H. F. No. 15,
amending Chapter XIII., Session Laws of 1878, incorpo-
rating the City of Richfield, Sevier County; H. F. No.
86, to prevent the spread of contagious diseases among
stock, beg leave to report that they have been correctly
enrolled, and this day forwarded to His Excellency for
his action thereon.

WEST,
Chairman.
Per YOUNG.

MESSAGE FROM THE COUNCIL.

Council Chamber,
March 11, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day passed C. F. 46, to amend an Act licensing and regulating the manufacture and sale of intoxicating liquors, and same is now forwarded for your action.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

Bill read first and second times by its title.

Read third time, under a suspension of the rules, and passed.

Ayes—Baty, Clark, Creer, Farnsworth, Hatch, Houston, Howell, King, Lund, McCullough, Rider, Stratford, Thurber, Thurman, Woolley, Young—16.

Noes—0.

Absent—Anderson, Cannon, Kimball, McLaughlin, Stuart, Smoot—6.

In the Chair—West—1.

REPORT OF SPECIAL JOINT COMMITTEE.

Committee Room,
March 11, 1886.

Mr. Speaker:

Your Special Committee, appointed to act with a like Committee from the council for the consideration of the veto messages of His Excellency, Governor Eli H. Murray, beg leave to report on that particular veto message which relates to H. F. No. 57, a bill apportioning the Legislative Assembly of the Territory of Utah, and herewith present a resolution in relation to said message, and recommend that the same be adopted by concurrent vote of the Assembly.

JOSEPH A. WEST,
Chairman House Portion of Joint Committee.

WHEREAS, Governor Eli H. Murray on the 11th day of January, 1886, in his message to the Council and House of Representatives used the following Language :

"In my message of two years since I said that the present apportionment of the members of the Legislative Assembly is defective, in that the districts are, in many instances, so constructed that several members are chosen on a common ticket, instead of giving each locality—having the necessary population—the right to choose its own members. I recommend that the districts be so constructed that each shall have a voice without being overborne by a larger neighbor which may be combined with it as now. This is true apportionment; the other is consolidation. * * * This defective system still exists, and I recommend that the defects pointed out be remedied," and,

WHEREAS, This Legislative Assembly did pass H. F. No. 57, "A bill apportioning the Legislative Assembly of the Territory of Utah," and said bill was duly forwarded to the Governor for his signature, and,

WHEREAS, Said bill was returned accompanied by the following message:

Territory of Utah,
Executive Office,
Salt Lake City, March 8, 1886. }

Hon. W. W. Ritter, Speaker House of Representatives:

SIR:—I herewith return, without my approval, H. F. No. 57.

If this is a proper basis of representation, it is then clear that the boundaries of three-fourths of the Territory should be changed. The fundamental principle of fair apportionment is overlooked in this important measure.

In the very first representative district created by this bill, Summit County, which is entitled to one representative is divided. A number of the precincts of this county are joined with Rich and Morgan Counties, in a district running far to the north; this is certainly wrong.

What is true of district No. 1, is equally true of district No. 2. In this district the remainder of Summit

County is joined with the Counties of Wasatch and Uintah, running far to the east.

By this means one of the greatest wealth producing and thriving cities of the Territory and of the west is deprived of a voice and place in the general assembly of the Territory.

A number of other misjoinders are apparent in the bill, and for these reasons I am unable to give it executive approval.

I am, Very respectfully,

ELI H. MURRAY,
Governor.

AND, WHEREAS, The plan or system of apportionment as laid down in said bill is based strictly and solely upon the basis proposed by the Governor in his message, viz., representation according to population, with a view to curing the evils claimed by him to exist, "in that districts are now so constructed that several members are chosen on a common ticket instead of giving to each locality the right to choose its own members, and not be overborne by a larger neighbor," and,

WHEREAS, In order to accomplish this object and that each Representative and Councilor should be elected separately, it became necessary to divide the Territory into a suitable number of Council and Representative districts, each district to be as near as may be equal in population to the others; and

WHEREAS, The official census report of the United States places the total population of this Territory at 143,963, and an Act of Congress provides that the Legislative Assembly shall consist of twelve Councilors and twenty-four Representatives, and

WHEREAS, Said apportionment provides for twelve Council and twenty-four Representative districts, each of which should and does contain as near as may its proper proportion of the total population of the Territory, and which in a Council district would be 12,000, and in a Representative district 6,000, and

WHEREAS, Some parts of this Territory on account of its mountainous, broken or desert condition, is sparsely settled, while in other parts, the conditions being

more favorable for settlement, the population is more numerous, thus making it necessary that the population of each precinct and county in the Territory be ascertained from said census report, in order that representation could properly and equally be divided according to population, and

WHEREAS, In order that representation may be had according to population only, it became necessary in said bill to combine two or more counties in some instances to form one district, while in other instances it was necessary to form several districts within one county, as will readily be understood by reference to the following table which is compiled from said census report, showing the population of the precincts and counties comprising the several Representative and Council districts as proposed in said apportionment bill:

COUNTY.	PRECINCT.	Population.	Representative District and Population.	Council Dist. and Population.
Rich, Morgan, Summit,		1263	No. 1.	No. 1.
		1783		
	Echo,	245		
	Henneferville,	262		
	Coalville,	911		
	Upton,	174		
	Hoytsville,	281		
	Parley's Park,	200		
	Wanship,	338		
	Peoa,	238		
Wasatch, Uintah,	Rockport,	127	5822	
	Park City,	1581	No. 2.	
	Kamas,	564		
		2927		
Cache,		799	5871	11693
	Hyde Park,	433	No. 3.	No. 2.
	Logan,	3396		
	Richmond, }	1198		
	Coveville, }			
	Smithfield,	1177	6204	
	Benson,	181	No. 4.	
	Clarkston,	464		
	Hyrum,	1234		
	Lewiston,	525		
	Mendon,	543		
	Millville,	539		
	Newton,	304		
	Petersboro,	76		
	Paradise,	512		
	Providence,	578		
	Trenton,	209		
	Wellsville,	1193	6358	12562
Box Elder,	Bear River City,	340	No. 5.	No. 3.
	Box Elder,	2184		
	Calls Fort,	350		
	Deweyville,	339		
	Malad,	377		

COUNTY.	PRECINCT.	Population.	Representative District and Population.	Council Dist. and Population.
Box Elder,	Mantua, Plymouth, Portage, Promontory, Willard,	356 300 462 131 749	No. 5. 5588	No. 3.
	Curlew, Grouse Creek, Kelton, Park Valley, Terrace,	197 267 183 275 251		
Tooele,		4497	5670	11258
Weber,	Ogden City, Lynne, Marriottte,	6069 50 243	No. 7. 6362	No. 4.
	Eden, Harrisville, Hooper, Huntsville, North Ogden, Plain City, Riverdale, Slatersville, Uintah, West Weber, Wilson,	329 582 849 819 956 653 272 328 247 603 344		
Davis,		5279	No. 9. 5279	No. 5
Salt Lake,	No. 3, No. 4,	4177 2756	No. 10. 6933	12212
Salt Lake,	No. 2,	5585	No. 11. 5585	No. 6.
	No. 1, No. 5,	3823 4407	No. 12. 8230	13815
Salt Lake,	Bingham, Brighton, Hunter, North Point,	1022 387	No. 13.	No. 7.

COUNTY.	PRECINCT.	Population.	Representative District and Population	Council Dist. and Population.
Salt Lake,	Draper,	455	No. 13.	No. 7.
	Fort Herriman,	342		
	Granger,	145		
	North Jordan,	282		
	Pleasant Green,	179		
	Sandy,	488		
	South Jordan, }	440		
	Bluffdale,			
	Riverton,			
	Union,	484		
	South Cottonwood,	1288	5512	
	Big Cottonwood,	661	No. 14.	
	Butler,	165		
	East Mill Creek,	371		
	Farmers,	320		
	Fort Douglas,	403		
	Granite,	250		
	Little Cottonwood,	300		
	Mountain Dell,	95		
	Mill Creek,	1416		
	Silver,	121		
Sugar House,	738			
West Jordan,	857	5697	11209	
Utah,	Lehi,	1538	No. 15.	No. 8.
	American Fork,	1825		
	Alpine,	319		
	Pleasant Grove,	1775		
	Cedar Fort,	250		
	Fairfield,	172	5879	
	Provo, }	3432	No. 16.	
	Lakeview,			
	Provo Bench, }			
	Springville,			2312
Utah,	Spanish Fork,	2304	No. 17.	No. 9.
	Salem,	510		
	Payson,	1788		
	Spring Lake,	157		

COUNTY.	PRECINCT.	Population.	Representative District and Population	Council Dist. and Population.
Utah,	Santaquin,	715	No. 17.	No. 9.
	Goshen,	645		
	Benjamin,	151		
	P. V. Junction, Thistle Valley,	81		
Juab, Millard,		3474	No. 18.	13551
		3727		
Sanpete,	Thistle,	117	No. 19.	No. 10.
	Fairview,	1014		
	Mt. Pleasant,	2004		
	Spring,	989		
	Moroni,	838		
	Fountain Green,	881		
	Chester,	188	No. 20.	12113
	Wales,	306		
	Ephraim,	1764		
	Manti,	1801		
	Petty,	216		
	Mayfield,	330		
	Gunnison,	729		
	Fayette, }	728		
	Dover, }			
	Freedom,	102		
Sevier, Emery, Piute, Garfield, Note 1. San Juan, Kane, Note 2.		4457	No. 21.	No. 11.
		556	5013	
		1651	No. 22.	10217
		1785		
Beaver, Iron,		204	No. 23.	No. 12.
		1564		
		3918	No. 24.	11901
Washington, Note 3.		2401		
		5582	5582	

1. Garfield County created out of Iron County since census taken.

2. Kane County, part of it set off to Washington County since census taken.

3. Washington County added to.

Precincts in brackets have been created, since census was taken, from the precincts to which they are now attached.

WHEREAS, By reference to the foregoing table, it will at once appear that the Representative apportionment as proposed in said bill, is a fair, equitable and just division of representation to the people of the Territory according to population, and that the objections of the Governor in relation to Representative districts Nos. 1 and 2 are not well taken, and are without foundation in fact. The population of Rich County being but 1,263; that of Morgan County only 1,783, and Summit County 4,921, neither one of them is entitled to a Representative alone, but if combined into one district, one Representative would not be a fair allotment, Wasatch and Uintah Counties being situated similarly, having a population of only 2,927 and 799 respectively, and if combined would not be entitled to a Representative, it became necessary—in order to maintain the principle of equal representation to equal population—to divide Summit County, and attach for representative purposes its northern portion to Rich and Morgan Counties, and the remainder to Wasatch and Uintah Counties, thereby creating district No. 1 with a Representative, on a population of 5,822, and district No. 2 with a Representative on a population of 5,871, the two districts combined forming Council district No. 1, with a population of 11,693; and

WHEREAS, The counties of Rich, Morgan, Summit, Wasatch and Uintah are contiguous, Summit being the middle County of the five, and touching all of them, thus making the Representative and Council districts formed by the combination of these five counties as convenient and accessible as can be made and still retain the sole object sought to be obtained in this bill, viz.: representation according to population; and

WHEREAS, The above statements apply equally to other districts formed by a combination of counties or portions of the same; and

WHEREAS, It is well known by His Excellency that Utah Territory comprises a succession of mountain ranges and valleys—plains there are none—and in order that convenience of access may be had by citizens to their respective county seats the boundaries of counties must of necessity conform to these ranges of mountains

more or less, and to depart from these natural divisions would seriously interfere with such matters of business as can be transacted only at the county seat; and

WHEREAS, The county boundaries of the Territory have been defined by previous Legislatures with a view to the convenience of the people generally, and not—as the Governor seems to imply should be the case—with a view to divide equally the population of the Territory; and

WHEREAS, The people have been for years past and are now satisfied with the present county boundaries; therefore, be it

Resolved, By the Council and House of Representatives of the Territory of Utah, that the assertion of Governor Eli H. Murray “that the boundaries of three-fourths of the counties of the Territory should be changed,” is entirely unwarranted and uncalled for; his statement “that the fundamental principle of fair apportionment is overlooked in this measure,” is entirely contradicted by the facts herein presented; his assertion “that Summit County is entitled to one Representative,” cannot stand if measured by the rule of equal representation for equal population; the idea advanced by him “that if Summit County is divided, one of the most thriving cities of the Territory is deprived of a voice in the general assembly is specious and fallacious; that the objections stated by Governor Eli H. Murray, in his message above quoted, are not sustained, inasmuch as the vetoed bill is in strict accord with the suggestions contained in his first message to this Assembly; and finally, that we cannot regard his veto of the apportionment bill in any other light than as an inconsistent and arbitrary abuse of unlimited executive power; and be it further

Resolved, That these resolutions be spread upon the minutes of this Assembly.

Resolutions adopted.

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Resolved, That these resolutions be spread upon the minutes of this Assembly.

Resolutions adopted.

Ayes—Baty, Creer, Farnsworth, Houston, Howell, King, Kimball, McCullough, Rider, Stratford, Thurber, Thurman, Woolley—13.

Noes—McLaughlin—1.

Absent—Anderson, Baty, Clark, Cannon, Hatch, Stuart, Smoot, Young—8.

In the Chair—West—1.

Committee Room,
March 11, 1886.

Mr. Speaker:

Your Special Joint Committee, to whom was referred the several veto messages of His Excellency the Governor, with instructions to consider the same and report thereon, beg leave to present the following resolution upon His Excellency's vetoes of the election and equalization bills.

Respectfully,

JOS. A. WEST,
Chairman House Portion Joint Committee.

Committee Room,
March 11, 1886.

Mr. Speaker:

Your Joint Committee to consider and report on His Excellency's veto messages, beg leave to report on his veto message to H. F. 49, which said bill reads as follows:

AN ACT

PREScribing QUALIFICATIONS FOR ELECTORS AND OFFICE
HOLDERS, PROVIDING FOR THE REGISTRATION OF
VOTERS AND REGULATING THE MANNER OF CONDUCT-
ING ELECTIONS.

SECTION 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* That annually on the first Monday of August, there shall be a general elec-

tion held in each precinct in the several counties of this Territory, for electing all officers not otherwise provided for, and the terms of office of all officers elected shall be as now provided by law.

SEC. 2. That an election for delegate to the Congress of the United States, for the Territory of Utah, shall be held in each precinct on the Tuesday next after the first Monday in November, in the year 1886, and every second year thereafter.

SEC. 3. That in case of the death, resignation or other disability of the delegate to Congress, or any member of the Legislative Assembly, or probate judge of any County in this Territory, it shall be the duty of the Governor, within ten days after receiving notice of the death, resignation or other disability of such officer, to call a special election in the Territory, District or County where such vacancy shall have occurred, for the purpose of filling the same.

SEC. 4. In case of a vacancy by the death, resignation or other disability of any county or precinct officer, except probate judge, made elective in any county in this Territory, it shall be the duty of the County Court to fill such vacancy by appointment. *Provided*, That each person elected or appointed to any county or precinct office, shall be a citizen of the United States and a voter of this Territory, as defined by Statutes of the United States and of the Territory of Utah, and shall qualify, as by law required, within twenty days after receiving notice of his election or appointment, and all persons re-elected to any office thereby becoming their own successors, shall, when so elected, qualify and be commissioned as required by law.

SEC. 5. All officers elected or appointed to fill vacancies, as provided in this Act, before entering upon the duties of their office, shall qualify in the same manner as though they had been elected at any general election, and shall hold office until the ensuing general election, and until their successors are elected and qualified.

SEC. 6. No person shall be eligible to be elected a delegate to the Congress of the United States from this Territory, who has not attained to the age of twenty-

five years, and has not been seven years a citizen of the United States, and has not been a resident in this Territory during one year next preceding the day of election, and who has not the qualifications of a voter therein.

SEC. 7. No person shall be eligible to a seat in either branch of the Legislative Assembly, unless he has been a resident in the country or district to be represented, during at least one year next preceeding the day of election.

SEC. 8. No person shall be eligible to be elected or appointed to any Territorial, district, county or precinct office, nor shall hold any office of public trust, honor or emolument in this Territory, unless he is a citizen of the United States, and shall have been a resident of this Territory at least one year next preceding such election or appointment.

SEC. 9. No officer or soldier of the United States army or any other person subject to military authority, shall be eligible to hold any office, or serve on any jury, or vote at any election in this Territory, unless his home or place of residence was herein at the time of engaging in such service.

SEC. 10. Every person, male or female, over the age of twenty-one years, who is a citizen of the United States, who is not disqualified by the provisions of any statute of the United States or of this Territory; who has been a resident in the Territory for six months, and a resident of the precinct where his or her vote is to be cast, for thirty days prior to the date of registration; who has not been convicted of felony or treason, and is not idiotic or insane, and who has been or may be registered as hereinafter provided, shall be a qualified elector, and entitled to vote at any election in this Territory.

SEC. 11. All elections shall be held, conducted, and returns thereof made as in this act provided.

SEC. 12. The assessors in and for their respective counties are hereby constituted the registration officers, and they are required to appoint a resident deputy in each precinct, who shall act for one year, unless sooner removed by the appointment of another person, to

assist in carrying out the provisions of this act. The assessor of each county, in person or by deputy, shall hereafter revise and correct the registration lists of voters at the times and in the manner provided in this act, and if any person whose name is not on the list of voters of his precinct, made for the last general election, shall claim the right to vote therein, the registration officer shall require such person to subscribe and take, if a male, the following oath or affirmation :

Territory of Utah, }
County of..... } ss.

I....., being first duly sworn (or affirmed) depose and say that I am twenty-one years of age, and have resided in the Territory of Utah for six months, and in the precinct of..... one month immediately preceding the date hereof, and I am a native born, or naturalized (as the case may be) citizen of the United States, and a taxpayer in this Territory ; and I do further swear (or affirm) that I am not a bigamist nor a polygamist ; and that I do not cohabit with more than one woman.

.....
Subscribed and sworn to before me this....day
of.....188...

.....
Registration Officer for.....Precinct.

Or, if a female, the following oath or affirmation :

Territory of Utah, }
County of..... } ss.

I....., being first duly sworn (or affirmed) depose and say that I am over twenty-one years of age, and have resided in the Territory of Utah for six months, and in the precinct of..... one month immediately preceding the date hereof [and am a native born or naturalized, or the wife, widow or daughter (as the case may be) of a native born or naturalized citizen of the United States]. I do further solemnly swear (or affirm) that I am not cohabiting

with a bigamist, polygamist, or any person cohabiting with more than one woman.

.....
 Subscribed and sworn to before me this....day
 of.....188...

.....
 Registration Officer for.....Precinct.

Upon receipt of such affidavit the registration officer shall place the name of such person on the registry list of voters for said precinct. In case the name of any person claiming the right to vote is erased from the registration list of his precinct under the next section, the name of such person shall be restored to said list by the registration officer, at any time prior to or during the week commencing the first Monday in July of each year, upon such person taking the foregoing oath, and if such person offers to take said oath it shall be the duty of such registration officer to administer it, and restore the name of such person as aforesaid; and if upon the proper showing to the senior Justice of the Peace for any precinct, it shall be found that disqualified persons have been registered, the registration officers shall, upon the order of the said Justice strike off the names from the registration lists.

SEC. 13. It shall also be the duty of the assessor of each county, in person or by deputy, on or before the first Monday in May, of 1886, and at the time of making the annual assessment for taxes in each year thereafter, to take up the transcript of the next preceding registration list, and proceed to the revision of the same, and for this purpose he shall visit every dwelling house in each precinct, and make careful inquiry if any person whose name is on the list, has died, or is otherwise disqualified as a voter of said precinct or removed from the precinct, and make a list of all such disqualified persons, a copy of which shall be posted up in three public places in the precinct best calculated to give public notice, not later than the first day of June, together with a notice that unless such persons appear before said assessor at his office during

the first three days of the week commencing on the first Monday in July in said year, and show cause why their names should be continued on the registry list that the same will be stricken off; and in case of a failure to so appear and show cause, the assessor or his deputy, as the case may be, shall strike such name from the list. He shall also ascertain, while making the annual assessments, whether any qualified voter resides therein, whose name is not on the list, and if so he shall add the name thereto, in the manner provided in the preceding section.

SEC. 14. It shall also be the duty of each assessor, in person or by deputy, during the week commencing on the first Monday in July of each year, at his office, to enter on the registry list the name of any voter that may have been omitted, on such voter appearing and taking the oath prescribed in Section 12 of this act; and representatives from each political party shall be entitled to be present and witness such registration.

SEC. 15. Upon the completion of the list, it shall be the duty of each assessor as aforesaid, to make out a list in alphabetical order, for each precinct, containing the names of all the registered voters of such precinct, and shall, on or before the first Wednesday after the second Monday in July in each year, deliver all of said lists and affidavits to the clerk of the county court.

SEC. 16. The clerk of the county court shall deliver to the assessor the registry lists for the revision thereof, or adding names thereto, and the assessor, in person or by deputy, shall, during the week commencing on the last Monday in September, in the year 1886, and every second year thereafter, enter the names of voters on the registry list in the manner provided in Section 14 of this act, and upon the list being completed, proceed as required by Section 15 of this act; *Provided*, that in such case he shall deliver the list and affidavits on or before the 10th day of October in such year.

SEC. 17. Voters removing from one election precinct to another in the same county may appear before the assessor at any time previous to the delivery of the registry list to the clerk of the county court, and have

their names erased therefrom, and they may thereupon have their names registered in the precinct to which they may remove. The clerk of the county court shall file and carefully preserve all such affidavits and registry lists, and shall make a copy of each precinct registry list, and cause the same to be posted up at least fifteen days before any election, in a public place at or near the place of election, and shall make and transmit another copy to the judges of election. It shall also be the duty of the clerk of the county court to give notice on the list so posted, that the senior justice of the peace for said precinct will hear objections to the right to vote of any person registered, until sunset of the fifth day preceding the day of election.

SEC. 18. The clerk of the county court shall cause to be printed or written, a notice which shall designate the offices to be filled, and stating that the election will commence at..... (designating the place for holding the polls) one hour after sunrise, and continue until sunset on the..... day of..... 18.. (naming the day of election).

Dated at....., A. D. 18..

.....
Clerk of the County Court.

A copy of which shall be posted up, at least fifteen days before the election, in three public places in said precinct best calculated to give notice to all the voters.

SEC. 19. The objections to the right to vote, referred to in Section 17, shall be made by a qualified voter, in writing, and delivered to the said Justice, who shall issue a written notice to the person objected to, stating the place, day and hour when the objection will be heard. The person making the objection shall serve, or cause to be served, said notice upon the person objected to, and shall also make returns of such service to the Justice before whom the objection shall be heard; *Provided*, that where the objection is made on the ground of non-residence or removal from the precinct, service of said notice may be made by letter containing such notice deposited in the postoffice, addressed to the person objected to, at his last known place of

residence, with the postage prepaid thereon, and by posting said notice in three public places in the precinct best calculated to give public notice. Such service shall be made at least ten days before the election. Upon the hearing of the case, if said justice shall find that the person objected to is not a qualified voter, he shall, within three days prior to the election, transmit a certified list of the names of all such unqualified persons to the judges of election, and said judges shall strike such names from the registry list before the opening of the polls.

SEC. 20. The County Court shall, at its first session in June of each year, appoint three capable and discreet persons in each precinct in the county, at least two of whom shall be of the political party which was in the majority at the last previous election, and one shall be of the political party that was in the minority at the said election, if any such party there be in such precinct, to act as judges of general and special elections; and said Court shall designate one of these persons so appointed, to preside, and the other two to act as clerks of said elections; *Provided*, that in precincts where the number of registered voters shall exceed five hundred, the Court may designate two or more polling places, appoint additional judges, and designate, by letters of the alphabet, who shall vote at each of such polling places. And the Clerk of said Court shall make out certificates of said appointments, and transmit the same by mail or other safe conveyance to the persons so appointed, who, previous to entering upon said office, shall take and subscribe an oath to the effect that they will well and faithfully perform all the duties thereof to the best of their ability, and that they will studiously endeavor to prevent any fraud, deceit or abuse at any election over which they may preside. If, in any precinct, any of such judges decline to serve or fail to appear, the voters of said precinct first assembled on the day of election, to the number of six or more, at or immediately after the time designated for opening of the polls, may elect a judge or judges to fill the vacancy or vacancies, and the person or persons so elected shall qualify as hereinbefore provided.

SEC. 21. The County Court shall provide the necessary books, blanks, stationery and ballot boxes, which ballot boxes shall be made of galvanized iron, of suitable size, each with a Yale or other safe lock and two keys, one of the keys to be kept by the presiding judge of election, and one by the Clerk of the County Court; there shall be an opening through the lid of each ballot box of sufficient size to admit a single ballot; *Provided*, if any county has good and substantial ballot boxes, with Yale and other safe locks and keys, the same may be used.

SEC. 22. The County Court shall furnish the judges of election in every precinct with a sufficient number of plain envelopes, for election purposes; said envelopes shall be uniform in color and size, without any marks, writing, printing or device upon them, and no other size or kind shall be used at any given election. Before opening the polls, the ballot box shall be carefully and publicly examined by the judges of election, who shall satisfy themselves that nothing is therein. It shall then be locked and the key thereof securely kept by the presiding judge, and said ballot box shall not be opened during the election.

SEC. 23. At the opening of the polls at all general or special elections, the Judges of Election for their respective precincts, shall designate one of their number to act as a clerk, who shall have in custody the registry list of voters, and shall examine the same, and make the entries therein required by Section 25 of this Act, and another of their number to act as a clerk who shall write the name of each person voting, and opposite to it the number of the vote.

SEC. 24. Every voter shall designate on a single ballot, written or printed, the name of the person or persons voted for, with a pertinent designation of the office to be filled, and when any question is to be decided in the affirmative or negative, he shall state the proposition at the bottom of the ballot, and write thereunder "yes" or "no," as he may desire to vote thereon, which ballot shall be neatly folded and placed in one of the envelopes hereinbefore provided for, and delivered to the presiding judge of election, who shall, in the pre-

sence of the voter, on the name of the proposed voter being found on the registry list, deposit it in the ballot box, without any mark whatever being placed on such envelope, otherwise the ballot shall be rejected.

SEC. 25. Whenever any ballot shall be deposited in the ballot box, the judge having the registry list shall write thereon the word "voted" opposite the name of the person casting the vote, and the other judge acting as clerk, shall write the name of the voter and the number of the vote upon a list to be made by such judge, but no other sign or mark shall be attached to the name of the voter.

SEC. 26. As soon as the polls shall be closed, the judges of election shall immediately proceed to canvass the votes cast at such election, and continue without adjournment until completed. All candidates voted for may be present, either in person or by representative, to witness said canvass. If any envelope contains two or more ballots of the same kind, one only shall be counted; and if any envelope contains two or more different kinds of ballots, none shall be counted.

SEC. 27. The canvass shall commence by the judges who have acted as clerks of the election comparing their respective lists, and ascertaining from said lists the number of votes cast. The box shall then be opened and the ballots therein taken out and counted by the judges. The presiding judge shall then open the ballots and call off therefrom the names of the persons voted for, and the offices they are intended to fill, and the judges acting as clerks shall note the same upon lists provided for that purpose, and all the ballots shall be immediately returned to the ballot box, and the ballot box shall be locked and securely sealed.

SEC. 28. After the canvass shall have been completed, the Judges of election shall add up and determine the number of votes cast for each person for the several offices, which result shall be placed on the lists made by the judges acting as clerks of the election, and the judges shall thereupon certify to the same, and immediately forward all the lists, securely sealed, together with the ballot box, to the clerk of the County Court, by a qualified voter of the County, who shall, before taking

the same, take and subscribe an oath to the effect that he will deliver the same to said clerk without unnecessary delay, and that he will use his utmost ability to prevent any interference whatever therewith by any person whomsoever.

SEC. 29. On receipt of the ballot boxes and returns of election the Clerk of the County Court, in the presence of at least one member of the County Court, who is not publicly known as a candidate voted for at such election, shall break the seal of the returns, and all candidates may be present as provided in Section 26 of this act, and said clerk and member or members of the County Court shall carefully examine the returns, and if no irregularity or discrepancy appear therein affecting the result of the election of any candidate, they shall accept said returns as correct; but if any irregularity appear and the right of any person voted for, for any office, is in any way affected thereby, or if there shall be any disagreement in the returns as to the number of votes cast for any officer who is elected by the votes of more than one county, then the clerk and said members of the County Court shall open the ballots from said precinct and canvass the same so far as to determine the rights of the person whose office may be affected. They may also cause to appear before them such persons as they may deem proper, and take their testimony in relation to said election in said precinct.

SEC. 30. After the completion of the canvass, said member or members and Clerk of the County Court, shall declare the result thereof, and the Clerk of the County Court shall immediately make out and transmit a certificate of election to each person elected to any precinct or county office. *Provided*, that whenever a tie shall occur between two or more persons for the same office, the Clerk of the County Court shall notify each of them thereof, and the same shall be decided by lot in the presence and under direction of the County Court. The notice herein provided for shall state the time and place and the manner in which the tie is to be decided. If any of the persons notified fail to appear by self or agent, such person shall be deemed to have waived all right to the office, and the clerk shall issue

the election certificate to the person appearing; if none of them appear by self or agent, the office shall be deemed vacant, and may be filled as in the case of other vacancies.

SEC. 31. Immediately after the inspection of the ballots in any ballot box, the ballots shall be returned into the box, which shall be locked and securely sealed, and the boxes shall be so preserved for forty days after the result of the election has been declared, during which time notices of contest may be filed with the Clerk of the County Court, and immediately after the expiration of the forty days, if no notice of contest be filed, requiring further delay, the Clerk of the County Court shall, in the presence of at least one of the members of the County Court, and such candidates voted for as may be present, open each of the ballot boxes and destroy all ballots contained therein; but if notice of contest be filed, the ballots shall not be destroyed until the contest be decided.

SEC. 32. The Clerk of the County Court shall, as soon as possible after the result of the election has been so determined, make out a general abstract thereof in duplicate, and certify to the correctness thereof, one of which he shall file, and one of which he shall post up in his office, and he shall forward to the Secretary of the Territory a certified copy of the names of the persons voted for and the number of votes each has received for other than county and precinct offices. The envelope containing such certified copy shall be plainly marked "Election returns from County" (filling in the name of the county as the case may be).

SEC. 33. As soon as all the returns are received by the Secretary of the Territory, he shall, in the presence of the Governor and such candidates as choose to be present in person or by representative, unseal the same and make an abstract thereof, and the Secretary shall, within ten days thereafter, make out and transmit a certificate of election to each person who appears from said returns to have been elected. In elections for Delegate to Congress the person having the greatest number of votes shall be declared by the Governor to be duly

elected, and a certificate thereof shall be given by him accordingly.

SEC. 34. The Assessors and their deputies shall receive such compensation for their services required by this act, as the County Court shall determine, and the Judges of Election shall receive for their services thirty cents per hour for all services rendered in conducting elections and canvassing votes, and each of said officers is hereby authorized to administer oaths whenever necessary to carry into effect the provisions of this act.

SEC. 35. All municipal elections shall be held and conducted, and the returns and canvass of votes thereof made substantially in accordance with the provisions of this act, and it shall be the duty of the city councils of their respective cities to provide for the registering of voters and the appointment or election of all officers necessary, and to furnish all necessary appliances for the carrying out of the provisions of this section, and to aid them therein, the Clerk of the County Court, on demand of the Recorder of any municipal corporation, shall on payment of the proper fees, furnish a certified copy of the registry list of voters of any precinct.

SEC. 36. Any omission or irregularity of any assessor or other officer, pertaining to registration or election matters, shall not invalidate any election or authorize the rejection of any legal votes cast, except to the extent that such omission or irregularity shall have prevented a fair vote, or affected the final result.

SEC. 37. Any person who shall falsely make any return, or falsely make any certificate of election returns, or who shall in any manner procure or assist in making the same, or cause the same to be done, or who shall in any manner do or cause any fraud in any election, or having entered upon any of the offices or duties provided for in this act, shall wilfully fail or neglect to perform any of the duties required of such officer or person, shall be deemed guilty of a felony, and on conviction thereof shall be punished by a fine not exceeding the sum of one thousand dollars, or be imprisoned in the penitentiary for a term not exceeding two years.

SEC. 38. If any person who is required by this act

to take an oath shall falsely swear, such person shall be deemed guilty of perjury.

SEC. 39. Any person who shall interfere with any registration officer in the discharge of his duties, or the registration of any person entitled to be registered, or who shall offer to vote twice at one election, or who, not being registered, shall offer to vote in the name of a registered person, or who shall disturb or be guilty of any riotous conduct at any election in this Territory, or who shall disturb or interfere with the canvassing of the votes, or interfere with the making of the returns, or who carries away, or destroys, or attempts to carry away or destroy any poll list or ballots, or ballot box, for the purpose of breaking up or invalidating such election, or who shall wilfully detain, mutilate or destroy any election returns, or in any manner so interfere with the officers holding such election or conducting such canvass as to obstruct them in the discharge of their official duties, or who shall interfere with any voter in the free exercise of the elective franchise, shall be deemed guilty of a misdemeanor.

SEC. 40. Any person who shall give, or promise or offer to give, to an elector, any money, reward or other valuable consideration, for his or her vote at an election, or for withholding the same, or who shall give, or promise to give, such considerations to any other person or party, for such elector's vote, or for the withholding thereof, or any elector who shall receive or agree to receive for himself or for another, any money, reward or other consideration for his vote at an election, or for withholding the same, shall be deemed guilty of a misdemeanor, and shall also forfeit the right to vote at such election; and any elector whose right to vote shall be challenged for any such cause, before the election officers, shall be required to swear or affirm that the matter of the challenge is untrue, before his vote shall be received.

SEC. 41. Any person who shall offer any bribe, threat or intimidation to any elector for the purpose of influencing his or her vote, or shall examine any ballot offered or cast at the polls, or found in any ballot box, for any other purpose than to ascertain as herein pro-

vided what candidate has been elected, or who votes more than once at any one election, or knowingly offers to vote two or more ballots, or in any manner changes any ballot after the same has been deposited in the ballot box, or adds, or attempts to add any ballot to those legally polled, shall be deemed guilty of a misdemeanor.

SEC. 42. The provisions of all acts and parts of acts superseded by, or in conflict with any of the provisions of this act are hereby repealed.

SEC. 43. This act shall take effect from and after its passage.

On the 11th inst. His Excellency disapproved the said bill in the following language:

Territory of Utah,
Executive Office,
Salt Lake City, March 11, 1886. }

Hon. W. W. Riter, Speaker of the House of Representatives:

I herewith return H. F. No. 49, without my approval.

This bill is a substantial re-enactment of the system of registering voters, and conducting elections, which prevailed in this Territory prior to the Act of Congress of March 22, 1882, with the change in the qualification of voters made necessary by that Act. That system was regarded by many as unfair and unsatisfactory.

Under it, for years, the non-Mormon voters practically declined participation in elections, and charges of favoritism and injustice in its administration were made with at least color of plausibility. It was largely because Congress was impressed with this belief that it placed, at that time, the appointment of election and registration officers under the control of a board which derived its authority from a source which was not dominated by the people of Utah.

I am unwilling to return to this discarded and condemned system.

The act before me, if approved, will place the registration of voters, and the conduct of elections, in the hands of men who are hostile to the law of Con-

gress, and are opposed to the enforcement of national laws, if inconsistent with their opinions.

To place the registering and the conduct of elections, and the canvassing of votes in the hands of those from it was taken, would be going to the old abuses.

This bill is subject to many of the objections which were pointed out in a message transmitted to the last Legislative Assembly by me, declining to approve a bill similar in its essential features to this one. I do not deem it necessary to repeat these objections. My opinions have undergone no change on the subject.

Sections 4 to 9 of the bill are in relation to a subject so distinct from the general purpose of the bill, and already reasonably provided for, that their insertion in this bill appears to be both unnecessary and confusing. The subject of vacancies and terms of office are out of place in such connection, and aside from the objections which I entertain to these sections, ought to be omitted from this measure.

This bill, in its essential features, is one that I cannot approve.

I am, very respectfully,

ELI H. MURRAY,
Governor.

It is true that this bill is not based upon the law now in force upon our statute books; but many changes were made, so it would conform to the Act of Congress of March 22, 1882, as well as to meet the objections of the Governor in his veto message of a similar bill passed by the Legislative Assembly two years ago. But that the law was or is unfair and unsatisfactory we deny. It may have been regarded as unsatisfactory by a few, because it so carefully guarded the ballot-box from fraud that an insignificant minority party could not obtain a victory at the polls. The history of elections, as conducted under our present law prior to the passage of the law of Congress of March 22, 1882, is a clear and emphatic denial of the charge that the law was unfair and unsatisfactory. It is a well known fact

that no charge of fraud in elections was ever made against the "People's" or "Mormon" party.

The record of the past refutes the charge that non-"Mormon" voters practically declined participation in elections under this law. It is a fact well known, patent and notorious, that non-"Mormon" voters did participate in every election conducted under that law, whenever they had the remotest chance of obtaining a victory, and that if they ever failed to participate in any election it was because of their utter hopelessness of electing a single man on their ticket. But suppose an insignificant minority party did decline participating in elections, is that an argument against the election law? As to the charges of favoritism and injustice in the administration of the law, "with at least color of plausibility," that is another assertion without foundation in fact.

The reasons which actuated Congress in creating a new set of election officers, are far different from those stated in His Excellency's veto message. Congress, in passing the act commonly known as the Edmunds Act, created new qualifications for voters, which disfranchised many of the "Mormon" voters, and as Congress was led to believe that many of the election officers at that time would be disfranchised by the act they were then passing, they created a new set of officers to put the law in operation. The act shows on its face that it was not intended these officers should be permanent—they were to continue in office until the Legislative Assembly, elected under the provisions of the said act, should provide for filling the said offices. The assertion of the Governor that this bill, if approved, will place the registration of voters and the conduct of elections in the hands of men who are hostile to the enforcement of national laws, if inconsistent with their opinions, is not supported by the facts. In many instances, men appointed by the Utah Commission as registration and election officers, are the identical persons who would have charge of the registration of voters and the conduct of elections under this bill, if approved, and in every instance the law has been rigidly enforced.

The assertion that "the bill is subject to many of

the objections which were pointed out in a message transmitted to the last Legislative Assembly by me," leads us to believe that His Excellency did not give the present bill careful consideration. Out of upwards of twenty-five objections made two years ago, all but four were met in this bill. The objections not met and provided for in this bill were: First, his objection to woman suffrage; second, to giving county courts the authority to fill vacancies in minor offices; third, to giving justices of the peace the right to hear objections to the names on the register of voters, and ordering them stricken off on proper showing prior to the election; and, fourth, because there were no provisions requiring all ballots to be of uniform size and color. All of these provisions are the same in the bill under consideration as in our present law. His Excellency has approved measures, during our present session, some portions of which did not meet his favor, but as the objectionable features were a re-enactment of the present law, and the bills in which they stood had other provisions which he favored, he did not consider the re-enactment of an existing law which did not meet his approval an objection to the bill, and for these reasons these cannot be considered material objections.

A careful consideration of H. F. 49, we are satisfied, will convince an unprejudiced public that it would make a fair and impartial election law; that it would give every qualified voter in this Territory an opportunity, with the least possible inconvenience, of casting his vote for the man of his choice; that it would carefully prevent any frauds in elections; that it would provide an absolutely secret ballot and a true and correct canvass of the votes polled.

We are led to believe that the Governor, in exercising his despotic power in vetoing the said bill, was actuated solely by a desire to prevent the people of this Territory from re-electing their election officers, and to perpetuate on this Territory the Utah Commission at an annual expense of upwards of \$40,000 to the national government, contrary to the expressed wish of Congress.

Resolutions adopted.

WHEREAS, Governor Eli H. Murray has vetoed H. F. No. 50, a bill providing for a Territorial Board of Equalization of taxes, and

WHEREAS, His reasons for this action upon a whole-some measure are flimsy in the extreme, being to-wit:

That Probate Judges are unfitted to act upon a Territorial organization of that character because they are the presiding officers of county boards of equalization. Also that Probate Judges are disqualified under the law to act in that connection in a Territorial capacity.

The first reason is ridiculous, as the experience of these officials on county boards renders them all the more capable to act in a more extended sphere provided in a Territorial organization; as to the second reason we know of no legal disqualification that prevents them from being connected with a board of equalization of the Territory, and

WHEREAS, The bill under consideration was a measure suggested by the Governor himself, in his message to the Assembly; therefore, be it

Resolved, That his action in vetoing said bill was in every way inexcusable, being a gratuitous insult to the Legislature, who acted in the premises upon his own suggestion, and evinces a despotic determination to rob the people of their right to a voice in the management of the affairs of the commonwealth.

Resolutions adopted.

MESSAGE FROM THE COUNCIL.

Council Chamber,
March 11, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day concurred in the adoption of resolutions in relation to the veto of His Excellency the Governor to the apportionment bill, and same are now returned.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

MOTIONS AND RESOLUTIONS.

In behalf of the members of the House, Mr. Thurman delivered the following remarks, and presented the Speaker, Hon. W. W. Riter, with a tastefully designed gavel of native mahogany wood, as a token of esteem and respect of the members :

Mr. Speaker:

As the hour approaches for the dissolution of this Assembly, we cannot refrain from expressing regret that the obvious meaning of the dissolution is the separation of friends who have learned to love and respect each other while mingling together in this crisis of our political history.

We have met here upon a common ground, the representatives of a free people. According to the light which God has given us we have each labored in the honest discharge of a sacred trust. Our relations have been gentle, smooth and friendly. It cannot be justly and truthfully said that any member upon the floor of this House owes to another a single grudge or harbors in his soul a feeling of envy, hatred or malice.

Mr. Speaker, on this solemn and eventful occasion, before the supreme moment arrives which will perhaps forever break the bonds of our association, I have a pleasant duty to perform. I voice the sentiments of this House and each and every member thereof in expressing to you our admiration, gratitude and thanks for the able, patient and impartial manner in which you have presided over the deliberations of the House of Representatives. The feeling is unanimous, and there is not the slightest reservation in the mind of any here as to this expression of our lasting gratitude and admiration. Mr. Speaker, if any member upon the floor of this House has at any time by word or deed caused you to feel a momentary pang, he now, while the golden opportunity is fleeting, humbly and earnestly implores your forgiveness. Your kindness and patience will forever be fresh in the memory of all. We desire that we your fellow members may one and all, while our hearts continue to throb with life, have a place in your mem-

ory that may never be obliterated by the revolutions and changes of time.

Mr. Speaker, we present to you this little memento of our kind regards. When you look upon the names inscribed upon this gavel remember your friends whose devotion is as pure as the gold upon which their names are engraven.

I take pleasure, on behalf of the members of this House, in presenting to you this testimonial.

The Speaker responded as follows :

Members of the House :

GENTLEMEN :—My natural lack of facility of speech, coupled with the emotion I feel on receiving the testimonial you offer me through the honorable gentleman from Utah County (Mr. Thurman), will, I fear, prevent me from properly expressing my deep appreciation of the kind feeling you show towards me. This feeling is intensified from the fact that I came to this Assembly lacking the necessary experience in legislative matters for the position to which you elected me, and to receive the expression of kind feelings such as you now show me under such circumstances is proof that your expressed esteem is most genuine. We came together during the most trying period of this our almost native country, the Territory of Utah. The ties of friendship formed under conditions of adversity are always the most deep and lasting, and I trust that this friendship so formed may endure until time shall be no more with us. In my position as Speaker I have sought to guide and control the legislative will of the House in an impartial manner striving with you for the general good; in this effort you have most assiduously and kindly aided me. I trust, my friends, we each and all of us go from this House with the proud consciousness of having done our duty to "the best of the ability that God has given us, and that a sweet though sad memory may always remain with us of these days of trial." In conclusion, gentlemen, allow me to thank you, one and all, from my very heart for the kindness, patience and forbearance you have shown me during this session, and

express the hope that the blessing of the Almighty Father may follow you through life.

By Mr. Smoot:

Resolved, That we, the members of the House of Representatives of the Territory of Utah, tender our sincere and heartfelt thanks and best wishes to H. G. Whitney, Chief Clerk; Daniel Harrington, Minute Clerk; Levi Snow, Sergeant-at-Arms; Jno. Boyden, Engrossing and Enrolling Clerk; Thos. E. Olson, Messenger; Lawrence H. Young, Watchman; Joseph Hall, Chaplain, and Daniel Letham, Usher, who have served the general interest of the same, for the prompt and efficient manner in which they have discharged their respective duties.

On motion of Mr. Thurman, the House expressed its thanks to the *Tribune* Publishing Co. for its courtesy in gratuitously furnishing the members and officers with copies of its paper during the session.

By Mr. West:

Resolved, By the Council and House of Representatives of the Legislative Assembly of the Territory of Utah, that a Joint Committee, to be composed of three members of the House and two of the Council, be appointed to prepare a complete report of the labors of this Assembly, including the number of bills passed, the number vetoed, the number ignored and the number signed by His Excellency the Governor, together with copies of the principal bills vetoed, the vetoes thereof and the reports thereupon by the Joint Committee on veto messages. That said report and a memorial based thereupon be sent to Congress, asking a repeal of the absolute veto power and such other relief as in the judgment of the committee the present circumstances of your Territory demand.

On motion of Mr. King, the House returned thanks to the *Deseret News* Publishing Co. for daily papers furnished by them during the session.

MESSAGE FROM THE COUNCIL.

Council Chamber,
March 11, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day repassed C. F. No. 46, amending the liquor law, with amendments made to meet objections stated by His Excellency the Governor, and same is now forwarded for your action on said amendments.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

C. F. 46, read first and second times.

Read third time under a suspension of the rules, and passed.

Ayes—Baty, Clark, Cannon, Farnsworth, Houston, Howell, King, Lund, McCullough, Rider, Thurber, Thurman, Woolley, West, Stratford—15.

Noes—Smoot, Creer—2.

Absent—Anderson, Hatch, Kimball, McLaughlin, Stuart, Young—6.

Title approved.

COMMUNICATIONS FROM THE GOVERNOR.

Territory of Utah,
Executive Office,
Salt Lake City, March 11, 1886. }

Hon. W. W. Riter, Speaker of the House:

SIR:—I have this day approved and filed in the office of the Secretary of the Territory:

A memorial addressed to the Honorable the Senate and House of Representatives of the United States in Congress assembled.

Respectfully,

ELI H. MURRAY,
Governor.

Territory of Utah,
Executive Office,
Salt Lake City, March 11, 1886. }

SIR:—I have this day approved and filed in the office of the Secretary of the Territory:

H. F. No. 85, entitled, An Act providing for impounding animals, and prescribing the regulations of pounds and for the disposing of estrays.

Very respectfully,

ELI H. MURRAY,
Governor.

Territory of Utah,
Executive Office,
March 11, 1886. }

Hon. W. W. Riter, Speaker, House Representatives:

SIR:—I have this day approved and filed with the Secretary:

H. F. No. 84, entitled "An Act for the benefit of Territorial prisoners," etc.

Also, H. F. No. 66, entitled, "An Act amending An Act incorporating the city of Lehi," etc.

Very respectfully,

ELI H. MURRAY,
Governor.

REPORT OF COMMITTEE ON JUDICIARY:

Committee Room,
March 11, 1886.

Mr. Speaker:

Your Committee on Judiciary beg leave to report that we have considered C. F. No. 35, and return the same, and ask that said bill be rejected.

HATCH,
Chairman.

Adopted.

MESSAGES FROM THE COUNCIL.

Council Chamber,
March 11, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day concurred in the adoption of House resolutions relating to His Excellency the Governor's vetoes of the joint resolution on compilation, and the bail bills, and same are now returned.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Council Chamber,
March 11, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day repassed H. F. No. 85, providing for impounding of animals, etc., and same is herewith returned.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Council Chamber,
March 11, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day concurred in the adoption of H. C. R. 25, for the appointment of a joint committee to memorialize Congress to repeal the absolute veto power, etc., and same is now returned.

Councilors Barton and Hammond were appointed said committee on the part of the Council.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

The Speaker appointed Messrs. West, Cannon and Thurman a committee in behalf of the House to memorialize Congress, as per statement of H. C. R. 25.

Council Chamber,
March 11, 1886.

Mr Speaker:

I am directed to inform your honorable body that the Council has this day rejected H. J. R. No. 24, authorizing the Auditor to redeem outstanding jurors' certificates in civil cases, and same is herewith returned.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

By permission, Mr. Thurman presented a joint resolution authorizing the Territorial Auditor to redeem outstanding jurors' certificates in civil cases.

Read first and second times by its title.

Read third time under a suspension of the rules, and passed.

Ayes—Baty, Creer, Cannon, Houston, Howell, Kimball, Lund, McCullough, Rider, Smoot, Thurber, Thurman, Woolley, West, Young—15.

Noes—0.

Absent—Farnsworth Anderson, Clark, Hatch, King, McLaughlin, Stratford, Stuart—8

MESSAGE FROM THE COUNCIL.

Council Chamber,
March 11, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day rejected H. J. R. 26, authorizing the Auditor of Public accounts to redeem jury certificates in civil cases, etc., and same is now returned.

Respectfully,
HEBER M. WELLS,
Chief Clerk.

Mr. West, chairman of the House Joint Committee appointed to memorialize Congress, presented the following report:

Committee Room,
March 11, 1886.

Mr. Speaker:

Your Special Joint Committee, appointed to make a detailed report of the labors of this Assembly, and to memorialize Congress asking that the veto power be withdrawn, etc., beg leave to submit the accompanying memorial, believing that it will fully meet the wishes of the Assembly as expressed in the resolution creating said committee.

Respectfully,

JOS. A. WEST,
Chairman House Portion of said Committee.

MEMORIAL TO CONGRESS.

*To the Honorable Senate and House of Representatives of
the United States in Congress assembled:*

GENTLEMEN:—We, your memorialists, the Legislative Assembly of the Territory of Utah, respectfully represent that, having been elected by the citizens of this Territory, duly qualified as voters under the provisions of the Act of Congress known as the Edmunds law, we have met and labored diligently during the term of sixty days required by law, and have passed such measures as were necessary to the welfare of our constituents and to comply with the requirements of Section 9 of the Edmunds act. But in the discharge of our duties we have met with persistent obstruction from the Governor, who, exercising arbitrary and extraordinary powers, has nullified the chief labors of the session, and has thrown the affairs of the Territory into perplexing confusion. We therefore memorialize your honorable body, and earnestly ask your attention to the following facts and grievances:

It has been well understood from the opening of the present Legislature that a deep-laid conspiracy has been formed for the purpose of effecting a revolution in Utah, by which the entire control of the Territory

should be wrested from the large majority of its citizens and placed in the hands of a small minority, who have for a long time by misrepresentations and falsehoods sought to prejudice the government and people of the United States against Utah and its people.

Unable by reason of numerical insignificance to wield any influence of importance at the polls, this conspiring minority have planned to obtain the entire disfranchisement of the majority, or the concentration of political power in a commission of their own number, so that in either event the few shall rule while the vast majority shall be placed in the position of subjugated slaves.

At the head and front of this conspiracy stands Eli H. Murray, Governor of Utah, who has openly advocated the disruption of the Territory by depriving its citizens of every vestige of local self-government, and who has from the commencement of his administration allied himself to the plotters against the peace of the people, and has persistently abused and insulted and maligned the majority in private, in public documents, and through the medium of the press.

By the most atrocious falsehoods, by attempted usurpations, by insolent messages, he has sought to provoke a conflict between the people and the Federal authority, which he claims to represent, and between the legislative and executive branches of the local government.

During the present session he has vetoed twenty bills sent to him for signature, and thirteen bills he has contemptuously ignored. The excuses offered where any have been given, have been in most instances of the flimsiest character, and in no case have contained vital objections or reasons that raised a pertinent issue. Every one of those measures would have been beneficial to the whole people of Utah, and, while framed in response to the wishes of our constituents, were in harmony with the Constitution and Laws of the United States. Among the most important of those measures were bills for the following purposes :

To allow bail as a right in cases of appeal from the lower courts to the higher, except in capital offenses ;

to provide for an increased jury list and the payment of jurors; to regulate the legislative apportionment of the Territory; for the support of the Deseret University; creating a Territorial board for the equalization of taxes; for the support of the Territorial Insane Asylum; prescribing the qualifications of electors and office-holders; appropriating funds for Territorial expenses, etc. The bill allowing bail was necessary to the ends of justice, for it is a farce to grant the right of appeal and then inflict the punishment appealed from while the appeal is pending. The bill increasing the jury list was required because the Poland law provides for only two hundred jurors for each year, and these have been found insufficient, necessitating a resort to the open venire system, which has been so shamefully abused that juries have been packed with persons chosen intentionally from the enemies of defendants. The bill followed strictly and exactly the provisions of the Poland law in the manner of selecting the jurors, but increased the number so as to meet every possible requirement without recourse to the open venire. It also provided for the payment of jurors and witnesses, and the veto not only continues the system by which juries may be packed, but deprives jurors, who are compelled to serve, for any pay for their services for the ensuing two years. The bill apportioning the legislative representation of the Territory was framed in accordance with the following recommendation of the Governor.

"I recommend that the districts be so constructed that each shall have a voice without being overborne by a larger neighbor which may be combined with it as now." At the last session of the Legislature he vetoed a bill drawn up at his suggestion, but stated that if the Legislature would pass an Act apportioning the Territory into twelve Council districts and twenty-four Representative districts on the basis of one Councilor to every 12,000 and one Representative to every 6,000 of population, he would be pleased to approve it. The bill was passed exactly in the form proposed, but he neither signed nor approved it nor mentioned it further, so it died a natural death. The bill we have passed is strictly in conformity with his expressed wishes, but he has

refused to append his signature. The bill for the support of the Deseret University is essential to the welfare of the only college sustained by Territorial funds. It appropriated for the gratuitous tuition of normal students the sum of \$10,000 per annum instead of \$5,000, which has been the annual amount, but which is now insufficient to the growing educational needs of the Territory and the rapid growth of the institution.

The bill creating a Territorial board of equalization was passed at his suggestion and is a needed measure to secure equal taxation in the several counties. The bill for the support of the Territorial insane asylum is a public necessity, not only to maintain a praiseworthy establishment, but to pay liabilities contracted at the Governor's instance as one of its directors; no provision now exists by which the unfortunates cared for in the asylum may be maintained. The bill prescribing the qualifications of electors and office-holders was framed in pursuance of the following clause of Section 9 of the Edmunds Act, to-wit:

"And at or after the first meeting of said Legislative Assembly, whose members shall have been selected and returned according to the provisions of the Act, said Legislative Assembly may make such laws conformable to the Organic Act of said Territory and not inconsistent with other laws of the United States, as it shall deem proper concerning the filling of the offices in said Territory declared vacant by this Act."

The Legislature of 1884 passed an election law, as authorized by the foregoing, but it was vetoed by the Governor, who specified a number of very trifling reasons for rejecting it. We framed a bill upon the groundwork of the former measure, but avoiding the points objectionable to the Governor as presented in his former veto message. He has peremptorily refused to sign it. The only reason we know of for this refusal is the desire to continue in office the five commissioners appointed under the Edmunds law to select proper persons to fill the registration and election offices in the Territory. The design of the Edmunds law, as indicated in Section 9, was to have those offices filled as the Legislature should provide, and thus abolish the commission. It was

only designed to be temporary. As soon as a Legislature elected under the provisions of the Edmunds law should meet and provide for the filling of those offices the object of appointing the commission would be accomplished. And the specific purpose of their appointment and of the election of a Legislative Assembly under their auspices was to prevent bigamists, polygamists, and persons practicing unlawful cohabitation from voting or holding office in Utah. This was secured by the election bill that the Governor has vetoed which provides for the registration of voters, and imposes the following oath upon all applicants for registration:

Territory of Utah, }
 County of....., } ss.

I, ..., being first duly sworn (or affirmed) depose and say, that I am over twenty-one years of age, and have resided in the Territory of Utah for six months, and in the precinct of one month immediately preceding the date hereof, and I am a native born or naturalized (as the case may be) citizen of the United States, and a taxpayer in the Territory; and I do further swear (or affirm) that I am not a bigamist or a polygamist, and I do not cohabit with more than one woman.

Subscribed and sworn to before me this day of
, 188..

Registration officer for precinct.

Or if a female the following oath or affirmation:

Territory of Utah, }
 County of....., } ss.

I, ..., being first duly sworn (or affirmed) depose and say, that I am over twenty-one years of age, and have resided in the Territory of Utah for six months, and in the precinct of one month immediately preceding the date hereof, and am a native born or naturalized, or the wife, widow or daughter (as the case may be) of a native born or naturalized citizen of the

United States; I do further solemnly swear (or affirm) that I am not cohabiting with a bigamist, polygamist, or any person cohabiting with more than one woman.

Subscribed and sworn to before me this day of
....., 188'..

Registration officer for precinct.

This is the same oath formulated by the commissioners and taken by all persons who voted at the election which returned us to office. The commissioners had no authority in law to impose any oath whatever. Their act in doing so was legislation. While they remain in office that oath is imposed without authority of law. But by the bill which the Governor has vetoed the oath would become legal and the object of the Edmunds law in its political portion would be fully accomplished. The veto of that bill nullifies one of the purposes of the Edmunds Act, and continues in office a useless commission costing the Government an average of \$50,000 per annum, not including the \$25,000 per annum for their salaries or the large amount for their personal expenses. This Territory under the bill we passed could attend to its own election business at a cost of not more than \$5,000, which would be paid out of its own treasury. The veto of that bill then costs the United States Treasury about \$75,000 per annum unnecessarily and without any good result.

The appropriation bill was closely economical and provided the necessary funds for the local Government, for educational purposes, for the improvement of roads and bridges, for the fees of jurors and witnesses and other expenses of the courts, and to meet obligations lawfully contracted. But it created no public debt, fostered no private scheme, and kept within the limits of the current revenue. The reason assigned for vetoing this bill, which was absolutely necessary for the conduct of public affairs, is that the officers to handle the funds are not *de jure* officers, because they are not appointees of the Governor. For twenty-six years the Territorial Auditor and Treasurer were elected by the Legislative

Assembly in joint session. The law was then changed, making them elective by the people. The bill rendering the officers elective was signed by Governor Murray's predecessor, and was not disapproved by Congress. The present incumbents were duly elected and qualified, and hold their commissions from Governor Murray himself. But the Governor contends that he has the right to nominate these officers, to be confirmed by the Council of the Legislative Assembly. And because this right is disputed by the Council who have not confirmed his nominees—persons obnoxious to the great majority of the citizens—he has refused to sign the appropriation bill, and has thus cut off the motive power which turns the wheels of the Territorial machinery, stopping all public improvements and demoralizing business generally. In the face of this law standing upon our statute books, the Council could not accept the dictum of the executive, who is not endowed with judicial powers. In declaring the law invalid which provides for the election of the Auditor and Treasurer, he has assumed judicial functions; and in vetoing the appropriation bill on the pretext that those officers were elected under an invalid law, he has acted the part of a tyrant and an obstructionist, placing a barrier in the way of all Territorial advancement. Even if the Governor's view of the law is correct and our predecessors for thirty-four years have been mistaken—and this can only be properly decided by a competent court—that does not justify an executive in destroying the combined labors of both houses of the Legislature. As well might the President of the United States refuse to sign all the appropriation bills of Congress because the Senate refuse to confirm his nominees to office.

The power of absolute veto which is vested in the Governor of Utah is the principal evil that suggests and makes possible the obstruction of the executive. It stands as an anomaly and a solecism in this great republic. It is a menace to freedom and a relic of monarchical absolutism. In every State and Territory of the Federal Union except Utah a two-thirds majority vote of the Legislature will pass any duly enacted bill over the Governor's veto. Even Arizona, once suffering

under the same disability as Utah, was July 19, 1876 freed from this unjust and needless despotism. If the one man who wields this extraordinary power were of the people, or a friend to the people, whose expressed will at the polls he can annul by a stroke of the pen, or by dogged refusal to sign his name, it would not be so thoroughly oppressive. But he is usually not identified with the people nor with their interests, but is arbitrarily appointed, by those in whose authority the people affected have no voice or vote, from a distant place and with aims and purposes foreign to theirs. Thus one man who is unfriendly, in this case strongly antagonistic to the masses, can render null and void by simply acting as an obstructionist the entire labors for sixty days of thirty-six legislators elected at the polls by nearly all the voting citizens of the most populous Territory of the Union.

Measures are pending in your honorable body to deprive of the elective franchise the industrious, peace-loving, thrifty, and self-supporting citizens of Utah who are free from all the disabilities of the Edmunds act, and cannot be convicted of crime, essential or constituted by law. In some matters of belief they differ from other citizens. Is this an offense which should render them voteless in a land of religious liberty? The Supreme Court of the United States has enunciated the doctrine that governments can only legislate against actions; that matters of faith, and opinion, and worship are beyond their control, and that it is time for them to interfere when beliefs break out in overt acts against peace and good order. Your honorable body is urged to pass laws in violation of this principle and of the first amendment of the Constitution of the United States. The only results that can be expected from such a revolution in the affairs of this Territory are the complete control of the many by the conspiring few—85 per cent of the population dominated by the other 15 per cent.; seven-tenths of the voting citizens deprived of the ballot to please and enrich the remaining three-tenths, the latter now holding all the offices in the Federal gift, and plotting and conspiring to grasp all the local offices and the local finances. It is an error

to suppose that this will tend to solve the religious problem peculiar to this Territory. It will but confirm the faith of those who adhere to tenets which they will deem assailed by unfair and unprecedented weapons, and render more solid and compact the ranks of the people so unjustly despoiled.

Disfranchisement for unorthodox belief or for membership in an unpopular church will be something entirely new under the government of the United States, and a stride backward toward the cruel intolerance and religious bondage of mediæval times. Its proposal is not in the interest of the nation, but of a few adventurers who lust for place, power and pelf, and are taking advantage of common prejudice against a misunderstood community to effect their nefarious personal ends. Through the toils, privations, and daring of the pioneers of this people the whole Rocky Mountain region has been opened to civilization and the extension of the power and the increase of the wealth of this great republic. Shall the sons and daughters of those brave and loyal pioneers, many of whom aiding in wresting this vast section on the Pacific Slope from the dominion of Mexico, now be rewarded by total disfranchisement and by subjugation to a handful of adventurers who have come here to take advantage of their labors and sacrifices?

We respectfully ask that the bills which we have named, copies of which are herewith forwarded, may receive the authority of law, either by enactment of Congress or by other means deemed suitable by your honorable body. We would urge this especially in regard to the election, jury and appropriation bills, which are absolutely essential to the welfare of the Territory.

That the veto power of the executive in this Territory of nearly two hundred thousand people be made conformable to that in every other section of this great republic, so that a two-thirds majority vote of the Legislature may prevail over a single voice and that an arbitrary, irksome, and anamalous one-man power shall no longer be absolute in opposition to the expressed wishes of the people who suffer from this more than monarchical authority.

That the conspiracy to revolutionize the Territory and reverse the rule that majorities shall govern shall not prevail, but that your honorable body will view this matter in the light of justice and an understanding of the facts, postponing action until full inquiry into both sides of the question shall enable intelligence and calm judgment to take the place of prejudice and the unseemly haste that is born of it.

That the cumbersome, useless and expensive Utah Commission, which has fully served the purpose for which it was created and which has in addition exercised both legislative and judicial functions without the slightest authority in law, be at once abolished and the voting citizens be permitted to regulate their own election affairs, at their own expense, under the laws of Congress and of the Territory.

That a commission of disinterested persons be appointed to quietly and fully investigate the affairs of this Territory, so that accurate information may be obtained concerning the people, their condition, progress, sentiments, prospects, and attitude toward the general government, with a view to determine their qualifications for the responsibilities and duties of self-government, under the liberal constitution which they have framed and to which they invite the careful scrutiny of your honorable body.

And that, in the event of statehood being still further postponed, the people of the oldest, wealthiest, most populous and most progressive Territory of the United States be relieved of the incumbrances and hindrances with which special legislation has weighted them down, and that the citizens who have broken no law may be permitted, like those of other Territories, to legislate for themselves and to demonstrate their good qualities, their ability to regulate their local affairs, and their fitness for their high destiny as a vigorous commonwealth which shall prove a strength and support to the Federal Union.

Let not our prayers be disregarded. We ask no special favor. We only appeal for fair treatment, for equal rights with other citizens, for common liberties, for simple justice. And while the God of nations will

approve your fearless action in support of reason and of right in opposition to abuse and wrong, a grand and united people, redeemed from oppression, will vindicate your good judgment and glorify your patriotism.

And your memorialists, as in duty bound, will ever pray, etc.

COMMUNICATION FROM THE GOVERNOR

Executive Office,
Territory of Utah,
Salt Lake City, March 12, 1886. }

Hon. W. W. Riter, Speaker of the House:

SIR.—The Twenty-seventh Session of the Legislative Assembly having expired, and there being no business before me, I am ready to wish the members a safe return to their homes.

With my best wishes for the prosperity of Utah,

Respectfully,

ELI H. MURRAY,
Governor.

MESSAGES FROM THE COUNCIL.

Council Chamber,
March 11, 1886.

Mr. Speaker:

I am directed to inform your honorable body that the Council has this day adopted report of Joint Committee appointed to memorialize Congress for the repeal of the absolute veto power, and concurred in the adoption of the resolutions accompanying the same.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

Council Chamber,
March 11, 1886.

Mr. Speaker:

I am directed to inform your honorable body that

the Council having cleared its table of all current business, is now ready to adjourn *sine die*.

Respectfully,

HEBER M. WELLS,
Chief Clerk.

Mr. West moved that the House now adjourn *sine die*.

The Speaker announced that the session was now at an end and the house adjourned.

Benediction by the Chaplain.

COUNTY FINANCIAL REPORTS

FOR THE
YEARS 1884 AND 1885.

BEAVER COUNTY,

FOR THE YEAR COMMENCING JUNE 1, 1883, AND ENDING MAY 31, 1884.

RECEIPTS.

Per J. H. Skinner, County Treasurer:

For Taxes.....	\$3,700.08	
For Fines.....	40.00	
For Licenses.....	966.55	
From J. Rogerson's bondsmen on delinquency.....	721.00	
Total.....		\$5,427.63

Per A. M. Farnsworth, County Treasurer:

For Taxes.....	\$ 511.89	
" Licenses.....	1,163.90	
" Fines.....	35.00	
" Rents.....	300.00	
Total.....		2,010.79

Sundry receipts: Not having passed through the treasury and expended for insurance and interest..	1,751.40	
Per cent. of Assessor and Collector and Treasurer.....	668.44	

Total receipts.....\$9,858.26

RESOURCES:

Bills receivable, J. Rogerson's bondsmen.....	\$ 479.00	
Rents: Department of Justice.....	300.00	
" Beaver City.....	83.33	
" J. W. Christian.....	85.00	
County property.....	\$14,595.23	\$15,542.56

LIABILITIES.

Inquests.....	\$	9.90	
Zion's Bank.....		3,605.63	
Sarah M. Dell.....		2,100.00	
J. C. Murdock, deputy constable.....		18.00	
S. N. Slaughter.....		16.29	
J. H. Joseph.....		4.80	5754.62
Balance resources in excess of liabilities.....			9787.94
			<u>\$15,542.56</u>

DISBURSEMENTS.

Probate Judge: Wm. J. Cox, from June 1, 1883.....	\$	39.00	
“ “ F. R. Clayton, from Oct. 19, 1883.....		30.20	\$ 69.20
County clerk: Wm. Fotheringham from June 1, 1883.....		175.00	
“ “ R. Maeser, from Oct. 19, 1883.....		204.35	379.35
Selectmen: P. T. Farnsworth.....		39.00	
“ J. McKnight.....		94.00	
“ J. Low.....		57.00	
“ J. H. Joseph.....		36.00	226.00
Prosecuting attorney: S. A. Kenner.....		4.16	
“ “ B. Ferguson.....		120.75	124.91
Sheriff, J. M. Coombs.....		906.80	
“ W. W. Hutchings.....		609.00	1515.80
A. P. Hardy for arresting Sullivan.....			75.00
Deputy sheriffs and constables, Grampion.....		193.35	
“ “ “ Minersville.....		66.85	
“ “ “ Star.....		45.40	305.60
Justices of the peace, Beaver precinct.....		98.51	
“ “ Minersville “.....		28.30	
“ “ Star “.....		7.30	
“ “ Grampion “.....		47.43	181.54
Poor and infirm.....			184.85
Inquests.....			20.75
Roads and bridges.....			130.20
Civil suits.....			40.75
Criminal expense.....			95.25
Court house.....			725.75
Rebate on license.....			12.50
Books, Stationery, Telegrams, etc.:			
Recorder's office.....		178.90	
County clerk's office.....		93.12	
Assessor and collector's office.....		51.72	
Telegrams.....		7.95	331.69
J. Rogerson, additional per cent for 1882.....		207.56	
“ “ per cent for assessing for 1883.....		307.12	569.50
S. N. Slaughter, per cent for collecting.....			231.62
J. H. Skinner county treasurer per cent. for 1882.....		14.00	
“ “ “ “ “ 1883.....		47.51	61.51
A. M. Farnsworth “ “ “ 1883.....			32.96
Superintendent of district schools.....			30.00
Zion's Saving's Bank, interest and principal paid.....			1,492.40
Sarah M. Dell, interest and principal paid.....			256.00
Insurance not reported in 1883.....			303.00
Remittances and errors allowed by court.....			239.62
Amount in treasury, in warrants.....			85.18
Amount to balance.....			<u>2,136.33</u>
Total disbursements.....			<u>\$9,858.26</u>

Approved by the County Court, June 12, 1884.

R. MEASER, County Clerk.

BEAVER COUNTY.

FOR THE FISCAL YEAR ENDING MAY 31ST, A. D. 1885.

RECEIPTS.

From Taxes as per duplicate assessment roll Sept. 1, 1884.	\$4,422.35½
Less errors and remittances	\$ 49.56
“ percentage for assessing and collecting	552.79
Total of actual receipts from taxes of 1884	\$3,320.00½
From Licenses	2,282.50
“ Fines	45.00
“ Rents	613.30
“ Balance in Treasury May 31, 1884	84.86
Total receipts	\$6,845.66½

EXPENDITURES.

road supervisors	\$ 188.00
For highways	1,034.00
“ poor and infirm	205.42
“ criminal prosecutions	90.65
“ court house improvements and repairs	556.72
“ inquests	27.20
“ civil suits	101.00
“ jail expenses	30.95
“ miscellaneous expenses	32.20
“ books, stationery, etc	279.08
“ school board examiners	27.00
“ justices of the peace	74.24
“ deputy sheriff and c r stables	359.40
“ sheriff	599.44
“ superintendent county schools	73.00
“ treasurer's percentage	104.37
“ prosecuting attorney	281.00
“ selectman Low	45.00
“ “ McKnight	112.00
“ “ Joseph	111.60
“ “ Harris	39.60
“ lights, fuel, etc	13.42
“ county clerk R. Maeser	195.00
“ “ “ H. Emerson	290.71
“ territorial tax overpaid into county treasury by Rogerson and refunded to territory, to his credit.	353.61½
“ probate judge	159.00
“ interest and principal paid Zion's saving bank ..	791.33
“ interest and principal paid S. M. Dell	370.80
Total expenditures	\$6,545.74½
To amount to balance	299.92
Total	\$6,845.66½

LIABILITIES.

Inquests	\$ 9.90
Zion's savings bank	3,173.00
Sarah M. Dell	1,976.92
Prosecuting attorney	56.66
County treasurer	18.37
Total	\$5,234.85

RESOURCES.

Bills receivable: J. X. Smith, R. Easton and James Farrer	\$ 324.00
Rents: Department of justice	150.00
" Beaver City	33
" J. W. Christian	99.70
Total	\$ 574.03
Balance of liabilities in excess of resources	\$ 4,660.82
County property as per exhibit	\$17,205.66

Approved by the County Court June 4, 1885.

HENRY EMERSON, County Clerk.

BEAVER CITY, Utah, June 6, 1885.

BOX ELDER COUNTY.

FOR THE FISCAL YEAR ENDING MAY 31, A. D. 1884.

May 31. To balance on hand May 31, A. D. 1883	\$ 2,537.50
" amount received from sale of bridge at Corinne	100.00
" amount received from license	800.00
" " " fines	47.95
" " " estrays	115.60
" " " taxes	12,087.16
" " " additional taxes ..	147.70
" outstanding warrants	79.85
" charged in error	388.90

DISBURSEMENTS.

May 31. By amount paid to Wm. Horsley, treasurer.	\$ 150.00
" " A. H. Snow, prosecuting attorney.....	230.50
" amount paid to Anderson, surveyor.....	399.60
" " Conley, bee inspector.	105.00
" " county clerk.....	800.00
" " extra service county clerk	300.00
" " probate judge, J. D. Burt .	255.00
" " P. F. Madson.....	550.10
" " county superintendent of schools, J. D. Peters, \$230; E. A. Box, \$225..	455.00
" amount paid to sheriff, C. C. Loveland ...	600.00
" " O. G. Snow, assessor and collector	600.00
" balance due from last year to O. G. Snow, assessor and collector	150.00
" amount paid selectman, James Pett. ..	128.00
" " " Wm. Lowe	160.00
" " " Carl Jensen.....	163.00
" " insane account	374.35
" " for holding inquests, ..	89.75
" " for court house.....	2000.00
" " repairs for court house ..	348.11
" " rent of stray grounds....	10.00
" " fuel and light	60.35
" " on school fund, account of estrays ..	100.85
" amount paid water masters	245.00
" " on elections.....	145.75
" " jail accounts.....	48.50
" " books and stationery	531.70
" " roads and bridges.	5809.13
" " sundries....	324.20
" " paupers account	578.80
" " criminal expense	280.75
" balance on hand	311.24
	\$16,304.68 \$16,304.68

To amount on hand \$ 311 24

June 3.

TERRITORY OF UTAH, }
COUNTY OF BOX ELDER, } ss.:

I hereby certify the above report to be a true and correct account of the financial report or condition of said county for the fiscal year ending May 31, A. D. 1884.

[SEAL.]

A. H. SNOW, County Clerk.

Approved June 3, A. D. 1884.

P. F. MADSON, Judge.
JAMES PETT,
CARL JENSEN, } Selectmen.
WILLIAM LOWE, }

TERRITORY OF UTAH,
COUNTY OF BOX ELDER, } ss.:

I hereby certify that enclosed reports are true and correct copies of the fiscal years ending May 31, 1884, and May 31, 1885 as appears on record in my office. Witness my hand and seal this 16th day of December, A. D. 1885.
[SEAL.] J. M. JENSEN, County Clerk, Box Elder County, Utah.

BOX ELDER COUNTY.

FOR YEAR ENDING MAY 31, 1885.

			Dr.	Cr.
May 31.	To balance from last year.....	\$	311.24	
	" amount received from license.....		1,437.50	
	" " " fines.....		117.50	
	" " " estrays.....		84.91	
	" " " taxes, 1884-5.....		12,444.30	
	" " " additional.....		35.04	
	" " " Territorial appro-			
	" " " priations.....		3,500.00	
	" " " bills payable.....		5,470.00	

DISBURSEMENTS.

By the amount paid to	treasurer, salary.....	\$	200.00
" " "	prosecuting attorney		400.00
" " "	county surveyor.....		284.70
" " "	bee inspector		64.00
" " "	county clerk		800.00
" " "	probata judge		800.00
" " "	superintendent of schools....		300.00
" " "	insane persons' account.....		396.50
" " "	sheriff		600.00
" " "	assessor and collector.....		400.00
" " "	rent for stray ground.....		33.00
" " "	fuel to court house.....		39.40
" " "	selectman Wm. Lowe.....		136.20
" " "	Carl Jensen.....		131.00
" " "	James Pett.....		74.00
" " "	election expense.....		242.50
" " "	repairs and furnishings for		
	jail.....		69.15
" " "	pauper account.....		338.55
" " "	criminal expense.....		438.75
" " "	court house furnishing for of-		
	fice.....		879.50
" " "	janitor.....		199.80
" " "	books and stationery.....		265.85
" " "	law books for office.....		243.05
" " "	roads and bridges.....		14,718.10
" " "	school fund carried stray ac-		
	count.....		66.16

SUNDRIES ACCOUNTS.

Collecting license.....	\$211.50	
On delinquent tax account.....	170.00	
Board exeminers of schools.....	47.60	
Legal service.....	45.00	
Balance due assessor and collector, on services	23.95	
Territorial map, West's.....	10.00	
Sundries from Brigham Co-op.....	187.82	
Team hire, E. K. Fuller.....	20.50	
Traveling expense.....	25.50	
Sundries.....	78.15	820.02
Balance on hand.....		460.26
	\$23,400.49	\$23,400.49
June 1, 1885. To balance brought down...	\$460.26	

TERRITORY OF UTAH, }
COUNTY OF BOX ELDER, } ss.:

I hereby certify the above report to be a true and correct account of the financial report or condition of said county for the fiscal year ending May 31st, A. D. 1885.

[SEAL.]

J. M. JENSEN, County Clerk.

Approved June 1st, A. D. 1885.

P. F. MADSEN, Judge.
CARL JENSEN, }
WM. LOWE, } Selectmen.
JAMES PETT, }

CACHE COUNTY.

FOR THE FISCAL YEAR ENDING MAY 31, 1884.

RECEIPTS.

Cash in treasury May 31, 1883.....	\$ 257.69	
Received cash on bills payable.....	6,927.80	
" " taxes.....	10,783.83	
" " poll tax.....	96.00	
" " fines.....	156.25	
" " rent.....	331.50	
" " quarantine accounts.....	12.50	
		\$18,565.57

DISBURSEMENTS.

Paid probate judge	\$ 281.45	
“ selectman Morehead	190.50	
“ “ Turner	189.20	
“ “ Allen	170.30	
“ superintendent of district schools	358.30	
“ clerk of county court	1,000.00	
“ prosecuting attorney	400.00	
“ sheriff	400.00	
“ treasurer	200.00	
The assessor and collector's compensation was \$1663.20 which was not paid into the treasury.		
Paid on roads and bridges	2,915.97	
“ general expense	184.90	
“ bee commissioner	45.00	
“ clerk water commission	42.00	
“ for furniture	330.03	
“ for jail supply	9.50	
“ road supervisors	1,096.88	
“ for support of paupers and insane	671.80	
“ bills payable	3,927.80	
“ int. on B. pay.	1,180.55	
“ for advertising county directory	106.25	
“ insurance on court house	270.00	
“ for building stray pounds	98.17	
“ “ improvement and repairs	151.28	
“ “ prosecuting criminal cases and boarding prisoners	372.30	
“ “ holding inquests	34.15	
“ quarantine expense	167.13	
“ on court house (completed)	3,152.92	
“ for books and records	131.96	
“ “ moving safes to court house from old county office	60.00	
Issued warrants in excess of those paid		40.85
Cash in the treasury at the closing of the year	468.08	
	<u>\$18,606.42</u>	<u>\$18,606.42</u>

LIABILITIES.

County warrants in circulation	\$ 1,118.92	
Bills payable, Thatcher Bros. & Co., payees	10,500.00	
Appropriation not drawn	1,021.53	
	<u> </u>	<u>\$12,640.45</u>

ASSETS.

Real estate	\$26,679.42	
Two fire proof safes	900.00	
Library and office furniture	500.00	
Interest in Logan city jail	308.05	
Cash in treasury	468.08	
	<u> </u>	<u>\$28,855.55</u>

TERRITORY OF UTAH, } ss.:
COUNTY OF CACHE,

We the members of the County Court for Cache County, do hereby certify that we have carefully audited the foregoing financial statement and that the same is correct.

Done in open court this 25th day of July, A. D. 1884.

J. Z. STEWART, Probate Judge.

O. T. MOREHEAD,

A. A. ALLEN,

F. TURNER,

} Selectmen.

TERRITORY OF UTAH, } ss.:
COUNTY OF CACHE,

I hereby certify that the foregoing is a true, full and correct copy of the financial statement for Cache County for the fiscal year ending May 31, 1884, together with the certificate of auditation endorsed thereon, now on file in my office, this 31st day of October, A. D. 1885.

W. W. MAUGHAN, Clerk County Court,

By J. T. HAMMOND, Deputy Clerk.

CACHE COUNTY.

FOR THE FISCAL YEAR ENDING MAY 31, 1885.

RECEIPTS.

Cash in treasury May 31, 1884	\$ 468.08
From taxes for 1884	10,844.12
" poll " "	33.00
" licenses	322.50
" fines	145.75
" bills payable	2,750.30
" sale of old buildings	153.50
Refunded on criminal prosecutions	10.15
Total receipts	\$14,727.40

DISBURSEMENTS.

To probate judge	\$ 501.20	
" selectman Turner	234.95	
" " Allen	148.45	
" " Morehead	188.70	
" county clerk	1,000.00	
" prosecuting attorney	400.00	
" sheriff	400.00	
" superintendent of district schools	300.00	
" treasurer	200.00	
" bee inspector	45 00	
" board of examiners	98.25	
The assessor and collector received \$1695.30, half of which was taken from county and half from Territorial taxes.		
To bills payable	3,000.00	
" incidental expense	161.51	
" furniture	149.20	
" jail supply	60	
" interest on bills pay	688.89	
" " " " paid by bills pay	249.70	
" publishing county directory	81.25	
" improvements and repairs	67.75	
" criminal prosecutions and boarding prisoners	409.85	
" holding inquests	44.60	
" books and records	136.25	
" poor and insane	795.85	
" road supervisors	1,027.63	
" roads and bridges	5,179.34	
" weights and measures (for sealer)	51.23	
" field notes of surveys	5.00	
" surveyers' instruments	250.00	
" Utah directory	52.50	
" pile driver	372.83	
Cash in treasury May 31, 1885	10.64	
Disbursement in excess of warrants paid by treasurer		1,523.80
	\$16,251.20	\$16,251.20

STATEMENT OF LIABILITIES.

County warrants in circulation	\$ 2,392.02
Bills payable Thatcher Bros. & Co. payees	5,000.00
" " Deseret National Bank	5,000.00
" " F. Turner	500.00
Appropriations not drawn	275.66
Total liabilities	\$13,168.68

STATEMENT OF ASSETS.

Real estate	\$26,679.42
Two fire proof safes	900.00
Library and office furniture	600.00
Interest in Logan city jail	308.05
Cash in treasury	10.64
Total assets	\$28,498.11

TERRITORY OF UTAH, }
COUNTY-OF CACHE, } ss.:

We, the members of the County Court for Cache County, in the Territory of Utah, do hereby certify that we have carefully audited in open court, the foregoing financial statement and that the same is correct and is hereby approved

Done in open court this 15th day of June, A. D. 1885.

D. Z. STEWART, Probate Judge.
A. A. ALLEN, }
FRED TURNER, } Selectmen.
P. F. MOREHEAD, }

TERRITORY OF UTAH, }
COUNTY OF CACHE, } ss.:

I hereby certify that the foregoing is a full, true and correct copy of the financial statement of Cache County, for the fiscal year ending May 31, 1885, and of the certificate of auditation indorsed thereon, now on file in my office, this 31st day of October, A. D. 1885.

W. W. MAUGHAN,
Clerk of County Court.

By J. T. HAMMOND, Deputy.

DAVIS COUNTY.

FOR THE YEAR ENDING MAY 31, 1884.

RECEIPTS.

Balance in the treasury, May 31, 1883	\$1,724.22
Received from taxes of 1883 in full	5,844.35
" " J. H. Wilcox balance tax 1882	1,175.64
" " fines	122.00
" " licenses	80.00
" " school board of examination	5.00
" " indigent account per T. F. Roueche	12.00
" " James T. Smith, balance account	25.00
" " sales of water right	1.00
" " " " estrays	28.85
	\$9,018.06

DISBURSEMENTS.

	AMOUNT DRAWN BUT NOT PAID, MAY 31, '83.	AMOUNT DRAWN FOR BAL- ANCE DUE MAY 31, '83	AMOUNT DRAWN FOR CUR- RENT EX- PENSES	TOTALS.
Paid to Wm. R. Smith, probate judge	\$ 3.00	\$ 15.00	\$ 20.00	\$ 38.00
“ David Stoker, “ “			36.80	36.80
“ Joseph Barton, county clerk	12.60	39.00	225.00	276.60
“ Jacob Miller, “ “			375.00	375.00
“ James T. Smith, prose. attorney	45.00	45.00	67.50	157.50
“ Henry L. Steed, “ “			112.50	112.50
“ E. B. Clark, treasurer.		75.00	150.00	225.00
“ T. F. Roueche, Selectman	3.00	18.80	58.80	80.60
“ H. D. Haight, “		18.00		18.00
“ A. S. Rose, “	5.50	6.50	19.45	31.45
“ B. F. Knowlton, “			16.00	16.00
“ David Stoker, “	11.00	11.60	18.40	41.00
“ J. H. Grant, “			32.20	32.20
“ E. F. Rose, coroner			35.60	35.60
“ A. V. Call, sup't dist. schools			84.15	84.15
“ school board of examination			19.60	19.60
“ A Rose, poundkeeper		12.50		12.50
“ supervisors of roads	111.55	35.50	358.55	505.60
“ highways improvements	310.80	7.35	882.35	1200.52
“ survey, platting and record			450.00	450.00
“ criminal account	69.50		702.50	772.00
“ indigent and insane account	95.60	9.00	680.15	784.45
“ expense, books, printing, station- ery, stamps, etc.	93.35	12.00	549.84	655.19
“ expense, lights, fuel, repairs			53.20	53.20
	<u>\$760.90</u>	<u>\$305.25</u>	<u>\$1947.61</u>	<u>\$6013.76</u>
Sales of estrays refunded				51.35
Balance in the treasury				2952.95
				<u>\$9018.06</u>

RESOURCES.

Amount in the treasury, county	\$2,337.18
“ “ “ schools	615.77
Due from Wm. Reeves	1,718.30
“ J. Loynd, J. P., Farmington	21.00
“ L. Hammond, J. P., Hooper	20.00
“ “ poundage	.25
“ T. B. Clark, supervisor	1.25
	<u>\$4,713.75</u>

LIABILITIES.

Due to schools account, sales of estrays	\$ 608.77
“ school district No. 3, sales of land	7.00
“ C. Layton, selectman	8.40
“ expense account, appropriation not drawn	10.25
“ elections account, “ “	34.35
“ highways “	398.35
“ county account, balance in favor	3,646.63
	<u>\$4,713.75</u>

TERRITORY OF UTAH, }
COUNTY OF DAVIS, } ss.:

I, Jacob Miller, County Clerk in and for Davis County, Utah Territory, do hereby certify that the above and foregoing is a full, true and correct report of the financial condition of said Davis County, for the year ending May 31, 1884.

Witness my hand and the seal of the County Court of said County, this 28th day of July, 1884.

[SEAL.]

JACOB MILLER, County Clerk.

DAVIS COUNTY.

FOR YEAR ENDING MAY 29, 1885.

RECEIPTS.

Amount in treasury June 1, 1884	\$ 2,952.95
Received from tax account	6,720.09
“ “ license account	182.00
“ “ fines “	117.00
“ “ board of examination of school teachers.. . . .	10.00
“ “ court house account (sales of old building materials)	4.00
“ “ indigent and insane account (amounts refunded by relations)	65.00
“ “ sales of estrays	5.60
“ “ Jacob Miller on account	9.50
	<u>\$10,066.14</u>

DISBURSEMENTS.

Paid to D. Stoker, probate judge	\$ 139.00
“ “ J. Miller, county clerk	225.00
“ “ J. Barton, “	400.00
“ “ H. L. Steed, county prosecuting attorney	63.20
“ “ Jos. Barton “	160.00
“ “ E. B. Clark, county treasurer	150.00
“ “ J. H. Wilcox, county assessor and collector	672.00
“ “ L. H. Kennaid, county superintendent district schools.	95.00
“ “ inquest account	28.10
“ “ road supervisors.	253.43
“ “ T. F. Roueche, selectman.	22.00
“ “ B. F. Knowlton “	13.30
“ “ J. H. Grant “	23.50
“ “ L. M. Grant “	13.30
“ “ insane and poor account	1,064.90
“ “ criminal “	199.20
“ “ highways “	2,593.31
“ “ improvements on court house.	299.43
“ “ sundry expense account, (books, stationery, printing, fuel, legal advertising)	595.92
“ “ purchase and transportation of safe	572.20
“ “ board of examination of school teachers.	27.00
“ “ schools account	539.25
“ “ balance in treasury	1,917.10
	<u>\$10,066.14</u>

RESOURCES.

Amount in treasury	\$ 1,917.10
Due from Jacob Miller, ex-county clerk	12.50
“ T. B. Clark, supervisor	1.25
“ Wm. Reeves, ex-county collector	1718.30
“ J. Loynd, ex-j. p. Farmington precinct	21.00
“ L. Hammon, ex-j. p. Hooper	20.00
“ “ “ poundkeeper	.25
	<u>\$ 3,690.40</u>

LIABILITIES.

Due to warrants outstanding	\$ 94.20
“ highway account	529.04
“ expense	110.25
“ criminal contingent account	150.00
“ J. H. Grant, ex-selectman	.50
“ C. Layton	8.40
“ elections account	31.35
“ school district, No. 3	7.00
“ school account	69.52
“ sales of estrays account (subject to reclamation)	5.60
“ balance favor county	2,684.51
	<u>\$3,690.40</u>

TERRITORY OF UTAH, } ss.:
COUNTY OF DAVIS, }

I, Joseph Barton, County Clerk, in and for said County of Davis, do hereby certify that the above and foregoing is a full and correct statement of the financial condition of said Davis County, for the year ending May 29, 1885.

Witness my hand and the seal of the County Court of said County this 13th day of July, A. D. 1885. JOSEPH BARTON, County Clerk.

Audited and approved by the County Court August 10, 1885.

DAVID STOKER, Probate Judge.

THOMAS F. ROUECHE, }
LEWIS M. GRANT, } Selectmen.

EMERY COUNTY.

FOR THE YEAR ENDING MAY 31, 1884.

RECEIPTS.

On hand from last report	\$ 38.45
Taxes for 1883	925.41
Liquor license	925.00
Butchers' "	25.00
Pound fees	7.25
Sale of stray stock	4.00
Poll tax	6.00

DISBURSEMENTS.

County judge	\$ 46.70	
Selectman	144.90	
County clerk	230.00	
Treasurer	32.00	
Prosecuting attorney	173.03	
Sheriff	25.00	
Justices of the peace	16.00	
Road supervisors	86.50	
Improvements on court house	12.00	
Building of jail	250.00	
Furnishing jail	62.42	
Refund to collector for over-payment	31.15	
Errors in assessment	26.40	
Taxes not collected	90.50	
Sealer of weights and measures	76.50	
Estray brand	2.50	
Corrall rent	3.00	
Transport of prisoners	45.00	
Keeping of prisoners	45.00	
Compiled laws of Utah	9.65	
Probate books with blanks	80.75	
Stationery and ballot boxes	25.00	
To insane	38.55	
Board for prisoners at Provo	98.90	
To assessor and collector	92.55	
On hand in treasury	187.11	
	\$1,931.11	\$1,931.11

TERRITORY OF UTAH, }
COUNTY OF EMERY, } ss.:

This is to certify that the foregoing is a full, true and correct copy of the financial report of Emery County, for the fiscal year ending May 31, 1884, as approved by the County Court July 15, 1884.

Witness my hand and official seal this 20th day of December, 1885.

[SEAL.]

JOSEPH DENISEN, County Clerk.

EMERY COUNTY.

FOR THE YEAR ENDING MAY 31, 1885.

RECEIPTS.

Balance in treasury, June 1, 1884	\$ 187.11
Taxes as per assessment roll for the year 1884	3,842.65
Additional taxes	152.62
Liquor and beer licenses	750.00
Poll tax	11.00
Fines	85.50
Poundage	3.75
Sale of stray stock	24.00

DISBURSEMENTS.

Judge O'Seely	\$ 37.00	
Selectmen	114.20	
County clerk	270.00	
Prosecuting attorney	75.00	
Superintendent of district schools	35.00	
Road supervisors	203.95	
Coroner	3.00	
County surveyor	21.85	
Justices of the peace	85.85	
Board and attendance of prisoners	423.25	
Witness fees in criminal cases	74.86	
Stray pound brand irons for county	5.00	
Stationery, books and fixtures	189.06	
Repair of roads at Ferron	15.00	
" " Soldier Cañon	50.00	
" " Scofield	85.40	
" " Salina Cañon	100.00	
Locating county roads at Scofield	30.00	
Inspecting county roads	1.50	
Leg irons and hand cuffs	26.87	
Errors in assessment roll	13.71	
Delinquents on taxes, 1883	90.50	
" " 1884	529.88	
Taxes abated from 1883	39.86	
Paid assessor and collector on his compensation	225.00	
On hand in treasury	2,310.89	
Total	\$5,056.63	\$5,056.63

TERRITORY OF UTAH, }
COUNTY OF EMERY, } ss.:

This is to certify that the foregoing is a full, true and correct copy of the financial report of Emery County, for the fiscal year ending May 31, 1885, as approved by the County Court of said County, September 8, 1885.

Witness my hand and official seal at Castle Dale, Utah, this 12th day of September, 1885.

[SEAL.]

JOSEPH DENISEN, County Clerk.

GARFIELD COUNTY.

SINCE ITS ORGANIZATION, 1882 TO, MAY 31, 1885.

RECEIPTS.

From taxes as per assessment roll		\$2,808.47
Less compensation of assessing and collecting	\$328.77	
" remittances	13.83	342.60
Actual receipts from taxes		\$2,465.87
From fines and forfeitures		738.37
" license and water certificates		326.80
		<u>\$3,531.04</u>

DISBURSEMENTS.

For road supervisors and highways.. . . .	\$ 685.50
" poor, insane and infirm.....	833.35
" contagious diseases	442.65
" criminal prosecutions.	556.64
" books, stationery and rents	145.70
" superintendent and examiners common schools	173.00
" election expenses.....	49.15
" probate judge	71.25
" selectmen (various)	456.00
" county clerk.	511.25
" prosecuting attorney ...	257.00
Total disbursements.. ..	\$4,181.49
Amount disbursed in excess of receipts.	650.45
	<u>\$3,531.04</u>

LIABILITIES.

To county treasurer.	\$102.63
" assessor and collector.. . . .	80.21
" county warrants not redeemed	609.80
Total liabilities.....	<u>\$792.64</u>

RESOURCES.

Forfeiture N. I. Clove bond.....	\$200.00
Total resources	200.00
Amount of liabilities in excess of resources.	592.64
	<u>\$792.64</u>

I hereby certify the foregoing statement to be a correct exhibit of the facts and a correct statement of the financial condition of Garfield County, Utah Territory, as appears on record in my office on this the 31st of May, A. D. 1885, at Panguitch, Garfield County, Utah Territory.

[SEAL.]

JOHN M. DUNNING, County Clerk.

IRON COUNTY.

[NO REPORT RECEIVED FOR 1884.]

IRON COUNTY.

FOR THE FISCAL YEAR ENDING, MAY, 31, 1885.

RECEIPTS.

By amount on hand in treasury May 31, 1884.....	\$ 440.80
" taxes for 1884 as per assessment roll.....	2,312.39
" cash from district stray pounds.	35.00
" orders for rent of city room in court house.....	180.73
" cash from store licenses.	27.00
" " on deposit (Washington Tiffs estate) ...	10.85
" fines, justices' courts ...	124.40

Total receipts ..	\$3,131.1
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DISBURSEMENTS.

To orders not cancelled May 31, 1884	\$ 161.56
" compensation of assessor and collector	231.24
" amount appropriated for relief of collector	30.30
" " " " court house	1,012.40
" " " " to Wm. C. McGregor, judge's fees	54.50
" " " " Morgan Richards, Jr., selectman's fees	29.25
" " " " John Parry, selectman's fees	44.00
" " " " William Davenport, selectman's fees	15.00
" " " " Richard Robinson, selectman's fees	7.00
" " " " John W. Brown, attorney's salary, etc	220.00
" " " " John E. Dalley, clerk's salary, etc	94.75
" " " " Thomas Adams, clerk's salary etc	100.00
" " " " M. H. Dalley, Supt. of schools	53.00
" " " " H. L. Adams, sheriff	272.20
" " " " John H. Henderson, J. P. & treasurer	136.50
" " " " D. A. Lamareaux, constable..	63.00
" " " " C. C. Bladen, "	85.20
" " " " W. E. Hyatt, constable	32.50
" " " " ~~Sevier~~ Sevier county	39.75
" " " " J. W. Coons, sheriff Sevier Co.	26.00
" " " " J. H. Loudar, " Nevada..	119.25
" " " " David Bulloch, constable....	55.00
" " " " Killing bears	17.85
" " " " John R. Robinson, justice of peace	24.40
" " " " John Chatterly, justice of peace	

"	"	"	"	William Marsden justice of peace	24.65	
"	"	"	"	witness and jury fees, case Robb and Wilson	30.10	
"	"	"	"	witness and jury fees, case Moss.....	11.40	
"	"	"	"	witness and jury fees, case Tait	10.00	
"	"	"	"	Books and blanks	27.50	
"	"	"	"	William Hutchins, sheriff of Beaver Co.....	8.20	
"	"	"	"	E. M. Dalton, constable.....	12.00	
"	"	"	"	J. W. Christian, surgeon case Geo. Heep.....	25.00	
"	"	"	"	F. A. King, doctoring Geo. Heep.....	25.00	
"	"	"	"	S. T. Orton, road supervisor district No 2.....	42.75	
"	"	"	"	telegraphing	31.86	
"	"	"	"	Parowan City for fitting up city room	180.73	
"	"	"	"	county fair.....	75.00	
"	"	"	"	Jas. Corlett, road supervisor No 1	55.00	
"	"	"	"	Alex. Orton, road comm. and janitor.....	25.10	
"	"	"	"	William Orton, pound keeper	4.50	
"	"	"	"	S. S. Barton, on roads.....	7.50	
"	"	"	"	E. S. Clark, jury fees district court.....	16.00	
"	"	"	"	E. Ward, carrying ballot boxes	1.00	
Total amount					\$3,537.94	
Amount in treasury May 31, 1885					31.53	
Orders not canceled May 31, 1885						438.30
Total.....					\$3,569.47	\$3,569.47

TERRITORY OF UTAH, } ss.:
COUNTY OF IRON,

I, Thomas Adams, Clerk of the County Court of Iron County, Utah Territory, do hereby certify the foregoing to be a full, true and correct statement of the financial condition of Iron County for the year ending May 31st, A. D. 1885.

In witness I hereunto set my hand and affix the seal of Iron County this 30th day of May, A. D. 1885. THOMAS ADAMS, Clerk.

TERRITORY OF UTAH, } ss.:
COUNTY OF IRON,

The above financial statement was audited, found correct and approved by the County Court of Iron County on this 1st day of June, A. D. 1885. Witness our hands and seals this 1st day of June, A. D. 1885.

WM. C. MCGREGOR, Probate Judge.
Selectmen { M. RICHARDS, Jr.
JOHN PARRY,
R. A. ROBINSON,

TERRITORY OF UTAH, }
COUNTY OF IRON, } ss.: 4

I, Thomas Adams, Clerk of the County Court of Iron County, Utah, do hereby certify that the above is a full, true and correct copy of the financial statement of Iron County for the year ending May 31st, A. D. 1885.

In witness I hereunto set my hand and seal of the County this 8th day of June, A. D. 1885. THOMAS ADAMS, Clerk.

JUAB COUNTY.

FOR THE FISCAL YEAR ENDING MAY 31, A. D. 1884.

RECEIPTS.

Balance in favor of county, May 31, 1883.....	\$ 987.22
Rent.....	10.00
Pound fees.....	13.10
Taxes	5,049.42
Butcher's license.....	5.00
Reimbursements	1,042.75
Poll tax.....	37.50
Liquor license.....	1,645.00
Fines.....	90.50
Bills payable, cash borrowed.....	1,000.00
Real estate, old court house sold.....	1,000.00
	\$10,880.49

EXPENDITURES.

Criminal expenses....	\$ 882.50
Roads and bridges.....	222.85
District schools.....	1,055.00
Insane.	313.83
Books and stationery... ..	181.85
Rent.....	42.00
Salaries	1,225.00
Loss and gain.....	43.75
Weights and measures.....	66.10
Sevier bridge.....	73.75
New court house.....	1,782.97
County surveys	165.00
Transitory herds	39.92
Court service	824.50
Jail.....	1,876.15
Bee inspector.....	5.00
Lawsuits.....	65.00
Elections	21.75
Interest.....	60.00
County records....	20.50
Paupers	75.04
Real estate.....	33.70
Bills payable.....	1,000.00
Collections	102.50
Expenses	328.70
Public square.....	135.45
Balance in favor of county.....	237.68
	\$10,880.49

RESOURCES.

LIABILITIES.

District schools	\$1,000.00
Bills payable	1,060.00
County warrants	2,564.36
Juab County	237.68
	<u>\$4,862.04</u>

CONDITION OF THE TREASURY, MAY 31, 1884.

RECEIPTS.

Bal. in treasury May 31, 1883	{	Cash.....	\$1,417.59	
		Bills receivable.....	100.00	
		Other counties' warrants	57.55	\$ 1,575.14
Fines				90.50
Liquor license.....				1,645.00
Butcher's license.....				5.00
Rent.....				10.00
Real estate				1,000.00
Taxes				4,620.07
Borrowed cash.....				1,000.00
Reimbursements.....				950.00
Poll tax				37.50
Pound fees				13.10
				\$10,946.31

DISBURSEMENTS.

County warrants redeemed.....	\$ 6,642.45
Other counties' warrants discounted.....	14.40
Treasurer's compensation	75.00
Balance on hand.....	4,214.46
\$10,946.31	

TERRITORY OF UTAH, }
COUNTY OF JUAB, } ss.:

I certify that the foregoing is a true copy of the original as audited and approved by the County Court.

In testimony whereof I hereunto set my hand and affix the seal of the County Court of said County, at my office in Nephi, this 2nd day of June, A. D. 1884.

[SEAL.]

WM. A. C. BRYAN, County Clerk,
Juab County, Utah.

JUAB COUNTY.

FOR THE FISCAL YEAR ENDING MAY 31, A. D. 1885.

RECEIPTS.

Balance in favor of county, May 31, 1884	\$ 237.68
Taxes.....	5,166.63
Bridges	3.65
Rent.....	19.50
Estray pounds.....	20.00
Pound Fees.....	10.25
Transitory herds.....	10.26
Reimbursements	300.00
Poll tax.....	40.00
Fines	145.35
Real estate.....	10.00
Liquor license.....	1,316.03
General licenses	306.50
\$7,585.85	

EXPENDITURES.

Roads and bridges.....	\$ 914.99
Inquests	35.25
Improvements on real estate	296.63
Criminal expenses.....	905.03
Books and stationery.....	223.58
District schools	65.00
Insane	325.00
Salaries	1,075.00
Loss and gain	92.51
Licenses remitted.....	16.66
Maps	80.00
Sevier bridge	141.50
Court house improvements	28.45
Transitory herds.....	39.53
Boundary lines.....	15.00
Jail improvements.....	217.35
Bee inspector.....	5.00
Elections	48.49
Interest	31.09
Paupers	257.40
Collections.	93.15
Expenses	180.86
Public square	75.75
Court service	858.60
Salt Creek cañon road.	635.49
Balance in favor of county	928.54
	\$7,585.85

STATEMENT OF RESOURCES AND LIABILITIES, MAY 31, A. D. 1885.

RESOURCES.

In the treasury { Cash and warrants .. \$7,388.61 }	
{ Bills receivable .. 1,018.00 }	\$8,406.61
Nephi school district	94.00
Nephi irrigation company	8.50
Samuel Cazier, sheriff	400.00
Nephi Artesian Well Company.....	500.00
	\$9,409.11

LIABILITIES.

Warrants outstanding	\$7,417.93
District schools.....	1,000.00
Utah county	62.64
Juab county.....	928.54
	\$9,409.11

STATEMENT OF AMOUNT PAID TO EACH COUNTY OFFICER DURING THE FISCAL
YEAR ENDING MAY 31, 1885.

Hon. Joel Grover, probate judge.....	\$ 436.00
Eli Curtis, selectman	53.10
Jos. A. Hyde "	142.00
Thos. Wright, Jr. "	142.00
C. E. Nielson "	85.30
Wm. A. C. Bryan, county clerk.....	100.00
Edwin Harley, county treasurer.....	75.00
F. W. Chappell, prosecuting attorney.....	83.00
L. L. Hudson	118.67
F. W. Chappell, school superintendent.....	50.00
Delos Lombard, justice of the peace, Tintic.....	35.30
J. G. Whittaker " " " "	16.60
James A. Jerman, constable, Mona.....	5.00
Benjamin Riches, road supervisor, Nephi.....	125.75
Heber W. Hartley, justice of the peace, Levan.....	26.65
Samuel Cazier, sheriff.....	660.53
Thomas Crawley, bee inspector	5.00
Eli Curtis, road supervisor, Levan.....	40.00
J. W. Green, justice of the peace, Tintic	18.00
Wm. A. C. Bryan, } Salary for 1884.....	\$600.00
assessor and collector, } advanced on " " 1885.....	300.00
John Wilson, justice of the peace, Tintic.....	30.50
Henry Adams " " " Nephi.....	72.10
	\$3,220.50

CONDITION OF THE TREASURY, MAY 31, 1885.

RECEIPTS.

Balance in the treasury, May 31, 1884.....	\$ 4,214.46
Taxes	4,780.37
Fines	145.35
Poll tax.....	40.00
Liquor licenses	1,316.03
General licenses	306.50
Pound fees.....	10.25
Rent	19.50
Bridges.....	3.65
Estray pounds.....	20.00
Real estate	10.00
Transitory herds	10.26
	\$10,876.37

DISBURSEMENTS.

Warrants presented with statement, June 2, 1884.....	\$ 2,394.76
Treasurer's compensation	75.00
Balance in hand	8,406.61
	\$10,876.37

Appropriations from Utah Territory, for	1880	\$ 438.06
" " " "	1884	750.00
		\$1,188.06

During the year 1879.....	\$ 801.12
“ “ “ 1884	73.75
“ “ “ 1885	141.50
Balance unused	171.69
	<u>\$1,188.06</u>

In testimony whereof, I hereunto set my hand and affix the seal of the County Court of said County, at my office in Nephi, this 1st day of June, A. D. 1885.

WM. A. C. BRYAN,

Clerk of the County Court, Juab County, Utah.

FOR THE FISCAL YEAR ENDING MAY 31, 1884.

By Taxes.....	\$ 896.60
" Fines.....	5.00
" Estray pounds.....	19.50
" Amount over-assessments.....	163.46
Total.....	\$1,084.56

D

DISBURSEMENTS.

To repairing county roads.....	\$ 312.50
" books, stationery, postage, etc.,.....	28.88
" W. A. Bringham, ex county judge.....	18.00
" Martin Stack, " clerk.....	89.04
" S. H. Redd, " selectman.....	29.80
" Nephi Johnson, " ".....	3.00
" George Spilsbury, " ".....	18.00
" Charles Stapley, " county treasurer.....	12.00
" Ashton Webster, " assessor and collector.....	134.49
" John Rider, county judge.....	9.00
" Joel H. Johnson, " clerk.....	128.96
" B. Y. Baird, selectman.....	12.00
" W. D. Johnson, " ".....	24.00
" Robert Moneur, " ".....	21.00
" W. D. Johnson, Jr., superintendent of district schools.....	70.00
" F. L. Farnsworth, sheriff.....	60.00
" Taylor Crosby, ex-deputy sheriff.....	10.00
" Willard Carroll, prosecuting attorney.....	20.00
" Fees in criminal cases J. P. courts.....	11.49
" William A. Beebe, for boarding prisoners.....	5.00
" Use of insane.....	15.00
" Precinct pound built at Mt. Carmel.....	25.00
" Nephi Johnson, moving county property.....	8.00
" Taxes remitted.....	19.40
Total.....	\$1,084.56

RESOURCES.

Due from sundry ledger accounts.....	\$ 47.61
Balance against county.....	1,339.17
Total.....	\$1,386.78

LIABILITIES.

Unpaid appropriations.....	\$ 549.25
County script in circulation.....	837.53
Total.....	\$1,386.78

KANE COUNTY.

FOR THE FISCAL YEAR ENDING JUNE 1, 1885.

RECEIPTS.

By taxes.....	\$ 1,374.09
" " from 1883.....	12.75
" estray pound.....	21.00
" Canaan stock sold (not knowing the company owned it).....	170.00
" fines.....	5.00
Total.....	\$1,582.84

RESOURCES.

By sundry ledger accounts.....	\$ 32.72
" balance against county	1,027.34
Total.....	<u>\$1,060.06</u>

DISBURSEMENTS.

To repairing county roads and bridges	\$ 198.00
" telegrams	12.35
" record books.....	9.50
" postage and stationery.....	17.86
" office furniture	39.22
" wood for office	4.00
" John Rider, county judge	30.00
" W. D. Johnson, selectman.....	36.00
" Robert Moneur, "	35.00
" Willard Carrol, " and prosecuting attorney	33.30
" B. Y. Baird, "	9.00
" Joel H. Johnson, county clerk	83.34
" William H. Roundy, assessor and collector.....	171.76
" W. D. Johnson, Jr., deputy superintendent of schools.....	55.00
" W. H. Clayton, county clerk ..	116.66
" Haskell S. Jolley, sheriff.. ..	83.50
" John E. Riggs, county treasurer.....	20.00
" Nephi Johnson, for services	22.00
" taxes remitted.....	87.47
" office rent	54.00
" Henry Hort, constable	3.00
" Silas Harris, justice of the peace.....	4.25
" Beaver county	13.50
" balance paid on safe....	100.00
" Deseret News Company for printing	25.00
" interest paid on money	8.65
" balance in treasury.....	319.48
Total.....	<u>\$1,582.84</u>

LIABILITIES.

Unpaid appropriation	\$ 314.77
County scrip in circulation.....	745.29
Total.....	<u>\$1,060.06</u>

All of which is respectfully submitted.

WILLIAM H. CLAYTON, County Clerk.

MILLARD COUNTY.

FOR THE YEAR ENDING MAY 31, 1884.

RESOURCES.

Amount in treasury May 31, 1883.....	\$	336.59	
“ “ contingent fund May, 1884.....		127.11	
Note held against H. J. McCullough.....		100.00	
Due upon license.....		53.25	
Amount of taxes due from J. D. Smith.....	593.00		\$1,209.95

LIABILITIES.

Outstanding warrants.....	\$	490.47	
Resources more than liabilities.....	719.48		\$1,209.95

RECEIPTS.

Delinquent taxes due from L. Holbrook, ex-collector....	\$	147.15	
“ “ from J. D. Smith.....	3,003.87		
Fines		60.00	
License		50.00	
Sale of estrays.....	440.85		\$3,701.87

DISBURSEMENTS.

To county judge	\$	122.00	
“ “ clerk.....		235.00	
“ “ treasurer.....		100.00	
“ “ attorneys.....		218.00	
“ “ selectmen.....		115.00	
“ superintendent district schools.....		78.00	
“ sheriff.....		40.35	
“ coroner.....		39.25	
“ roads and bridges.....		452.73	
“ taxes remitted.....		75.22	
“ quarantine physician.....		10.00	
“ reimbursement of L. R. Cropper, J. P.,.....		55.00	
“ incidental expenses.....		18.60	
“ criminal court expenses		350.40	
• “ insane and indigent.....		548.00	
“ law books		38.70	
“ amount drawn from contingent fund for repairs on court house and jail, for wood, etc.....		39.50	
“ school fund.....	472.05		\$3,008.10
Receipts more than disbursements.....			\$ 693.77
Balance in favor of county.....			\$1,413.25

TERRITORY OF UTAH, }
COUNTY OF MILLARD, } ss.:

I hereby certify that the above is a true and correct copy of the financial report of Millard County, for the year ending May 31, 1884, as appears upon the ledger of said County.

Witness my hand and seal this 4th day of January, A. D. 1886.

[SEAL.]

J. L. ROBISON, County Clerk,
Millard County.

MILLARD COUNTY.

FOR THE YEAR ENDING MAY 31, 1885.

RESOURCES.

Amount in treasury May 31, 1884	\$1,050.38	
Taxes due from J. D. Smith.	119.99	
“ “ T. C. Callister	2,503.37	
On hand in contingent fund	151.36	
Note due from Steffensen	20.00	\$3,845.10

LIABILITIES.

County warrants not redeemed.	\$ 699.97	
Resources more than liabilities	3,143.13	\$3,845.10

RECEIPTS.

Taxes from J. D. Smith.	\$ 473.11	
“ “ T. C. Callister.	1,978.33	
License.	102.25	
Fines	103.45	
Estrays, sale of.	373.05	
Dividend in sheep	5.50	\$3,035.69

DISBURSEMENTS.

Paid county judge.	\$ 165.60	
“ “ clerk.	175.00	
“ “ taxes.	166.50	
“ “ prosecuting attorney	285.70	
“ “ selectmen.	145.00	
“ “ superintendent district schools	100.00	
“ “ school examiners	34.00	
“ “ sheriff	8.30	
“ “ coroner	41.00	
“ estray pound keeper, H. J. McCullough.	2.50	
“ for land purchase, (right of way)	50.00	
“ water commissioner.	10.00	
“ board of prisoners.	228.50	
Taxes remitted.	61.19	
Stationery, county blanks, etc., map, etc.	40.80	
Incidental expenses	93.89	
Insane and indigent.	289.50	
County books and assessment rolls	58.75	
Criminal court expenses.	644.30	
Roads and bridges.	445.57	
Paid U. S. P. Association for capturing thieves.	140.00	
“ Utah county taxes on transitory sheep held.	14.25	
Loss on estray pound note.	50.00	\$3,250.35
Disbursement more than receipts	\$ 214.66	
Balance in favor of county.	2,930.47	\$3,145.13

TERRITORY OF UTAH, }
COUNTY OF MILLARD, } ss.:

I hereby certify that the above is a true and correct copy of the report of the financial report of Millard County for the year ending May 31, 1885, as appears upon the county ledger of said county.

Witness my hand and seal this 4th day of January, A. D. 1886.

J. L. ROBISON, County Clerk.

MORGAN COUNTY.

FOR THE FISCAL YEAR ENDING MAY 31, 1884.

RECEIPTS.

By County taxes.....	\$2,396.396
“ fines.....	12.00
“ damages to dugways by herds.....	91.55
“ registration of estrays.....	6.00
“ cash paid on account of poll tax.....	12.00
“ labor poll tax	735.00
Total	\$3,252.946

EXPENSES.

To Credit balance from 1882	\$ 252.66
“ salary of county clerk	200.00
“ salary of treasurer	50.00
“ Mrs. Robison, insane	114.00
“ Chistina Poulson, poor	26.00
“ tax remittances of indigent persons.....	38.95
“ services of Supt. of district schools	33.25
“ account of roads and bridges	2,094.15
“ binding session laws of 1884.....	10.00
“ interest on borrowed money for two years.....	150.60
“ prosecuting attorney.....	35.00
“ posting notices.....	2.50
“ legal papers and recording, etc., ...	15.75
“ freight and expressage	1.75
“ records and legal forms	66.71
“ judge and selectmen, for attendance at county court.....	117.70
“ rent of court room	21.00
“ probate judge and clerk	24.00
“ criminal account	3.90
“ printing financial report of 1882	11.75
“ compensation of assessor and collector.....	193.31
“ ex-judge for services	38.00
“ stationery and postage	5.00
“ corral rent for estrays.....	10.00
“ fuel for clerk's office.....	10.00
“ holding inquests.....	18.60
“ costs of court to enforce collection of delinquent poll tax.....	11.65
Total.....	\$3,556.23
Dr. balance	\$303.296

LIABILITIES.

To county warrants in circulation \$1,029.40

COLLECTOR JAS. H. MASON'S ACCOUNT,

To county taxes	\$2,396.396	
By 8 per cent. for assessing and collecting		\$ 191.71
" remittances		34.591
" error in assessment		1.00
" treasurer's receipts		2,159.09
	<u>\$2,396.396</u>	<u>\$2,386.391</u>

Dr. balance \$ 10.005..

Audited and approved by the County Court, the first day of September, 1884.

JOS. R. PORTER, Judge.
JOHN H. RICH, Selectman.
WM. H. TOONE, Selectman.

TERRITORY OF UTAH, }
COUNTY OF MORGAN, } ss.:

I, Samuel Francis, County Clerk of Morgan County, do hereby certify that the foregoing is a true and correct copy of the County Clerk's financial report of Morgan County for the fiscal year ending May 31st, A. D. 1884, as audited and approved by the County Court of said County.

Witness my hand and the Seal of said Court, this 1st day of September, A.D. 1884.

[SEAL.]

S. FRANCIS, County Clerk.

MORGAN COUNTY.

FOR THE FISCAL YEAR ENDING MAY 31, 1885.

RECEIPTS.

By county taxes	\$2,443.03
" territorial appropriation	1,000.00
" Morgan City, for Morgan City bridges	350.00
" Davis county on account of transitory herds	13.27
" damages to dugways by herds	59.50
" licenses	95.00
" fines	10.00
" registration of estrays	3.00
" cash poll tax	3.00
" labor poll tax	738.00
Total	<u>\$4,714.80</u>

DISBURSEMENTS.

To balance of 1883.....	..\$	303.29
" Morgan City bridge		1,649.85
" roads and bridges.....		1,275.24
" criminal account		101.50
" judge and selectmen for attending county court.....		157.00
" county clerk		200.00
" treasurer		50.00
" compensation of assessor and collector		195.44
" prosecuting attorney		60.00
" superintendent of district schools.....		40.75
" four regular terms of probate court.....		24.00
" relief of poor.....		26.00
" holding of inquests.....		12.50
" board of examination.....		9.00
" rent of court room		18.00
" fuel for clerk's office		10.00
" remittance of taxes of indigent persons		40.02
" posting notices.....		2.50
" court house		12.00
" Summit County, on account of transitory herds.....		5.98
" printing and advertising		18.25
" expressage, postage and stationery.....		10.00
" burying dead animals		3.00
" E. Whitear, relief on licenses		8.00
" corral rent.....		7.00
" deputy of water commissioners		8.00
" six copies of Utah Gazetteer		21.00
" adjustment of county boundary line		6.00
" discount on sale of Territorial warrant.....		25.00
" Cr., balance.....		415.48
Total.....	..\$	4,714.80

COLLECTOR HENRY EDDINGTON'S ACCOUNT.

To county taxes	\$2,443.03	
By 8 per cent. for assessing and collecting ..		\$ 195.54
" remittances		40.02
" treasurer's receipts.....		2,116.13
To Dr., balance.....		91.44
Totals	\$2,443.03	\$2,443.03

The foregoing report was audited and approved by the County Court of Morgan County, at a session thereof held the 24th day of August, 1885.

JOS. R. PORTER.
JOHN H. RICH.
WM. H. TOONE.
W. G. SMITH.

TERRITORY OF UTAH, } ss.:
COUNTY OF MORGAN,

I, S. Francis, County Clerk of Morgan County, do hereby certify that the foregoing is a true and correct copy of the County Clerk's financial report of Morgan County, for the Fiscal Year ending May 31, 1885, and of the certificate of auditing thereto attached.

Witness my hand and the seal of said Court this 31st day of August, A. D. 1885.

[SEAL.]

S. FRANCIS, County Clerk.

PIUTE COUNTY.

FOR THE YEARS 1883-1884.

Total amount tax roll for 1883	\$1,962.92	
“ liquor license	260.00	
“ fines, roads, estrays, etc., ...	98.50	
Balance in treasury 31st May, 1883, ...	704.85	
School tax, \$490.73—Territorial tax \$490.73.....		981.46
County scrip redeemed and destroyed by county court..		667.79
Treasurers' compensation.....		24.00
Compensation assessor and collector, 15 per cent.		294.44
Balance in treasury June 1, 1884.		1,058.58
Total	\$3,026.27	\$3,026.27

STATEMENT.

R. A. Allen, assessor and collector bal. on county taxes 1882 \$	26.31	
“ “ “ 1883	122.91	
“ “ “ 1883-4	154.70 \$	303.92
J. W. Wright, selectman, attendance and mileage	\$	55.00
Geo. Brinkerhoff, “		63.80
Volney King, “		27.00
County clerk, salary, office, wood, stationery		175.00
Cost justice and district court case Godbe vs. Wiley		57.50
Appropriation for Charlott Day, (insane)		127.85
“ Elizabeth Busembark, (idiot).....		5.00
Chris Kottke, supervisor of Grape Valley.....		18.00
H. Sudweeks, “ of East Junction.....		6.00
W. W. Morrell, for work on road years ago.....		52.00
O. M. Manwill, supervisor Koosharem.....		3.80
H. Sudweeks, “ East Junction		6.00
E. G. Errickson, “ Koosharem		10.00
Paul Prive, road commissioner laying out road		3.00
T. E. King, “		5.00
P. Price, viewing road near Hardy's Cañon.....		1.50
T. E. King, commissioner laying out road Grape Valley....		2.50
Jens C. Anderson, “		8.75
County seat, books of record and other county books....		40.09
Total.....		\$667.79

I, C. E. Bolton, clerk in and for Piute County, Utah, do hereby certify that the foregoing is a true and correct statement of the financial condition of Piute County for the year ending May 31, 1884.

C. E. BOLTON, Clerk of Piute County, Utah.

PIUTE COUNTY.

FOR THE FISCAL YEAR ENDING MAY 31st, 1885.

Total tax roll for 1884.....	\$2,114.52
Received for liceses.....	221.00
" " fines, estrays, etc	52.25
" from R. A. Allen, on delinquent taxes	100.00
" " Copper Belt mill redeemed.....	120.00
" costs on same	18.45
" " interest on "	21.60
Credited back to county from school fund.....	86.74
Balance reported in treasury May 31, 1884	1,058.58

CONTRA.

Total school and Territorial tax.....	\$1,057.26
County scrip redeemed.....	1,435.64
Treasurers compensation	35.00
Compensation of assessor and collector	317.18
Due from R. A. Allen	50.07
" " J. W. Bay, Jr., assessor and collector	22.07
Balance in treasury	875.92

Total	\$3,793.14	\$3,793.14
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STATEMENT OF EXPENSES—SCRIP ISSUED.

R. A. Allen, judge, attendance and mileage	\$ 47.24
Volney King, selectman, " " "	36.00
George Brinkerhoff, selectman, attendance and mileage	58.80
Joseph H. Wright, " " " "	10.40
E. A. Bagley, " " " "	25.20
George Brinkerhoff, laying out road	5.00
County clerk, salary, stationery, postage, etc	175.00
Justices' court expenses.....	98.55
Charlotte Day, insane	233.83
Mrs. Busembark, insane	38.15
L. G. Long, school superintendent.....	25.00
L. G. Long, examining teachers.....	3.00
P. E. Olsen, " "	3.00
J. G. Jorgensen, " "	3.00
I. J. Riddle, repairing and making roads	80.10
John Lee, Jr., " " " "	112.00
Henry Sudweeks, " " " "	67.50
D. C. Thompson, " " " "	18.75
J. R. Young, laying out roads.....	23.90
J. Wiley, work on roads.	12.00
Lyman L. Johnson, "	4.00
J. C. Anderson, "	8.00
E. G. Erickson, "	12.00
E. A. Bagley, "	50.00
Seth Taft, "	13.50
D. C. Thompson, brand sheet	3.95
John Morrill, error in school fund.....	86.74
C. E. Bolton, extra postage stamps used.....	5.00
F. W. Young, laying out roads	4.50
R. A. Allen, uncollected taxes	15.40
Horatio Morrill, boarding, guarding and transporting prisoners...	66.55
Volney King, attorney's fees.....	35.00
John Morrill, publishing financial statement.....	7.50
" " licenses books and postage.....	10.30
W. Hutchings, guarding prisoner.....	32.50
C. E. Bolton, clerking	4.28

Total.....	\$1,435.64
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I, John Morrill, County Clerk, in and for Piute County, Utah, do hereby certify that the foregoing is a true and correct statement of the financial condition of Piute County for the year ending May 31, 1885.

JOHN MORRILL, Clerk of Piute County.

RICH COUNTY.

FOR THE YEAR ENDING MAY 31, 1884.

RECEIPTS.

By taxes for the years 1882-3	\$1,709.47
" fines	26.00
" Box Elder county, transient herds	8.35
" Tooele county, " "	38.70
" cash water certificates	15.00
	<u>\$1,797.52</u>

DISBURSEMENTS.

Paid D. E. Fackrell, ex-selectman	\$ 40.00
" Ezekiel Lee, county school superintendent	40.00
" A. C. Call, sheriff fees criminal cases	251.15
" Ira Nebeker, selectman	139.50
" Joseph Kimball, selectman	106.80
" Robert Calder, "	45.00
" for signs on road account	10.00
" stationery for county clerk	15.00
" printing order books and financial statement	12.50
" W. K. Walton, probate judge	15.70
" " ex-prosecuting attorney	39.65
" Robert S. Spence, "	90.80
" board of county examiners of school teachers	18.00
" A. W. Nebeker, deputy water commissioner	10.50
" J. U. Eldredge, assessor and collector	270.34
" C. Frank, note and interest	111.20
" J. W. Wilkinson	107.50
" E. S. Bisbing for furniture court house	19.50
" court expenses, stove and pipe	5.50
" Wm. Rex, county clerk	143.15
" W. H. Lee, ex-probate judge	10.57
" criminal expense justices' courts	63.10
" W. A. Pearce, deputy sheriff	21.50
" G. A. Peart, county treasurer	59.60
" printing assessment roll and postage	42.00
" fees, constable Garden City	2.50
" for labor on county roads and highways	15.66
To balance in treasury	90.80
	<u>\$1,797.52</u>

RESOURCES.

Amount in treasury.....	\$ 90.80
Due from sundries.....	7.40
" A. McKimmon on taxes for 1880.....	80.95
" J. U. Eldredge on account of taxes 1881-2-3.....	120.59
	\$299.74

LIABILITIES.

Bills payable, C. C. Goodwin's note.....	\$ 650.00
Interest on same June 1, 1884.....	48.75
A. C. Call, sheriff.....	12.20
William Rex, county clerk.....	66.72
D. E. Fackrell, ex-selectman.....	2.00
Ezekiel Lee, county school superintendent.....	20.00
Ira Nebeker, selectman.....	4.50
Robert Calder, ".....	65.20
W. K. Walton, probate judge.....	36.10
W. P. Nebeker, ex-school superintendent.....	4.79
Byron Sessions, witness fees.....	2.00
Peter Comia, ".....	2.00
A. W. Nebeker, deputy water commissioner.....	1.50
John Spencer, fees in Wall case.....	7.50
John Snowball, " " J. P.	1.50
Bear Lake "Democrat" printing.....	1.00
Sundry persons.....	10.00
County warrants in circulation...	1,713.42
	\$2,649.18

[SEAL.]

WILLIAM REX, County Clerk.

RICH COUNTY.

FOR THE YEAR ENDING MAY 31, 1885.

RECEIPTS.

Taxes for the years 1883 and 1884.....	\$1,603.07
Fines.....	24.00
Water certificates.....	15.00
Amount on hand at last report.....	90.80
County warrants issued in excess of receipts during fiscal year...	143.56
	\$1876.43

DISBURSEMENTS.

Paid Goodwin note.....	\$ 733.40
" Joseph Kimball, selectman ..	55.50
" Joseph Kimball, probate judge.....	62.00
" W. K. Walton, " ".....	64.65
" Ira Nebeker, selectman.....	72.10
" Robert Calder, ".....	111.70
" William Rex, county clerk.....	66.72
" Geo. A. Peart, treasurer.....	20.00
" Geo. A. Peart, county clerk..	70.00
" expense on county road.....	122.25
" justice court, Randolph precinct	9.00
" expense of inquest at Lake Town precinct	10.00
" county board for examining school teachers	18.00
" furniture for court room.....	33.28
" roll book and stationery for assessor and collector.....	35.00
" stationery for treasurer.....	3.00
" stationery for county clerk.....	12.00
" expense of insane patients.....	19.50
" A. W. Nebeker, assessor and collector	297.28
" amount on hand, Box Elder and Tooele counties	47.05
" Byron Sessions	2.00
" Peter Comia ..	2.00
" O. J. Spencer.....	7.50
" John Showball.....	1.50
" Bear Lake "Democrat".....	1.00
	\$1876.43

RESOURCES.

Amount in treasury.....	\$ 47.05
Due from J. U. Eldredge.....	4.41
" " A. W. Nebeker, assessor and collector.....	101.89
Excess of liabilities.....	398.55
	\$551.90

LIABILITIES.

John Cox, selectman	\$ 8.40
Robert Calder ".....	31.50
Ira Nebeker ".....	6.80
Geo. A. Peart, county clerk.....	37.00
A. W. Nebeker, prosecuting attorney	25.00
John M. Baxter, treasurer	20.00
E. Lee, county school superintendent ..	20 50
Geo. C. E. Spencer, " ".....	6.00
County warrants in circulation.....	177.71
Expense of insane patients.....	200.00
D. E. Fackrell.....	2.00
A. C. Call.....	12.20
W. P. Nebeker.....	4.79
	\$551.90

FINANCIAL STATEMENT OF SALT LAKE COUNTY.

FOR THE FISCAL YEAR ENDING MAY 31, 1884.

Receipts of Salt Lake County during the fiscal year
ending May 31, 1884:

By Taxes placed in the hands of the Collector for the year 1883	\$66,994.84
do.	227.15
do.	56.19
	\$67,278.18
Less abatements	75.28

By Fines	\$67,202.90
By License Account	76.00
By Bills Receivable (in the hands of Treasurer)	7,431.37
	766.25

\$75,476.52

Balance in Treasury as per report of March 5th, 1883,	\$ 177.53
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Balance in Treasury as per report of May 31, 1884, Cash	\$1,467.86
“ “ “ “ Bills receivable	1,166.25

\$ 2,634.11

Taxes refunded George Crismon, Collector, Oct. 9th, 1883,	\$ 2,325.22
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DISBURSEMENTS.

To Roads and Bridges	\$12,590.27
“ Canals and Ditch	620.00
“ Pauper and Insane	11,277.14
“ Criminal expense	287.65
“ Stationery, Books, Publishing and Printing	2,423.67
“ Expense Account	\$ 980.05
“ E. W. Tullidge, on acct. writing history of S. L. Co.	500.00
“ Inquest Account	394.40
“ Prison Account	1,723.36
“ Interest	7,263.48
“ Relief	418.19
“ Insurance October 1st, 1883	250.00
“ Counsel Fees	100.00
“ Furniture	29.00
“ Improvements	924.74

Compensation Account as follows:

To J. W. Cummings, Salt Lake County Treasurer . . .	\$ 731.54
" Jos. Burton, Service as Janitor to April 30, 1884 . .	871.95
" R. T. Burton, Assessor	250.00
" C. W. Hardy, Services as Surveyor	359.00
" Wm. Turner, one-sixth of \$400 as services guarding dam, head of Utah and Salt Lake Canal . . .	66.66
To T. B. Lewis, services as County Superintendent of District Schools, Aug. 31, 1882, to Oct. 1, 1884 . .	650.00
To D. Bockholt, services as County Clerk, August 31, 1882, to December 14, 1884, at \$3000 a year . . .	3,875.00
To E. Smith, General Superintendent of County Offi- cers, services from August 31, 1882, to February 29, 1884, at \$3000 a year	5,242.52
To N. V. Jones, services as Collector for 1883, County part and Extra Services	1,774.00
To Theo. McKean, services as Jailor, August 31, 1882, to October 1, 1883, thirteen months at \$125 . . .	1,625.00
To F. Bollwinkle, services as Janitor October 1, 1882, to October 31, 1882	60.00
To Geo. Crismon, Compensation, October 9, 1883 . . .	1,000.00
" B. Y. Hampton, services as License Collector for 1881,	370.00
" S. F. Smith, Assistant County Surveyor, etc.	22.00
" F. Armstrong, services viewing Roads and Bridges, year ending August 30, 1883	120.00
To John Morgan, County Superintendent of District Schools, services from Oct. 1, 1883, to April 1, 1884,	300.00
To M. E. Cummings, County Treasurer, services June 1, 1883, to February 29, 1884, ...	562.50
To A. Dewey, License Collector, services to May 31, 1884,	1,014.32
" W. S. Burton, services on acct. as Assessor for 1884,	1,000.00
" Z. Snow, services as Prosecuting Attorney from August 31, 1882, to February 29, 1884, ...	3,000.00
To J. C. Cutler, services as County Clerk, December 15, 1883, to March 15, 1884, ...	750.00
To John Groesbeck, services as Sheriff from October 1, 1883, to April 1, 1884, ...	600.00
To Theodore McKean,) Auditing Committee (. . . .	110.00
" W. S. Crismon,) of	185.00
" E. M. Weiler,) County Books. (. . . .	55.00
" E. Smith, per diem County Court to March 3, 1884.	208.00
" E. M. Weiler, " " " March 3, 1884,	208.00
" F. Armstrong, " " " March 3, 1884,	184.00
" S. Bennion, " " " December, 1883,	96.00
" E. Holman, " " " March, 1884, . .	112.00
	\$25,402.49
	\$65,184.64

Balance due to and by Salt Lake County, as per Ledger, May 31, 1884.

Ledger G fo.	Resources.	Liabilities.
5. Order account balance December 15, 1883,		\$92,018.63
5. Order acc't balance issued since Dec. 15, '83,		12,242.43
5. Order acc't to old orders redeemed issued, }		
5. Order acc't previous to December 15, 1883, }	\$18,057.43	
10. Interest.....		5.14
50. Utah and Salt Lake Canal.....	1,500.00	
52. Bills payable.....		53,251.13
60. Collateral security.....	72,500.00	
74. John A. Grosbeck for salary.....		600.00
102. Z. Suow.....	72.50	
104. M. E. Cummings, S. L. Co. treasurer.....	2,634.11	
108. George Crismon, assessor and collector 1876,	3,299.11	
109. " " 1877,	5,769.34	
110. " " 1878,	5,396.71	
111. " collector, 1879,	7,226.23	
112. " " 1880,	861.20	
113. " " 1881,	6,951.20	
114. " " 1882,	2,076.81	
120. R. J. Golding, assessor and collector.....	8,859.15	
122. E. M. Weiler.....		188.32
123. F. Armstrong.....		169.64
124. Petit Ledger.....		128.35
128. J. W. Fox.....		89.68
130. M. E. Cummings, for salary.....		187.50
138. F. Brown.....		10.00
140. J. C. Cutler, for salary.....		2,250.00
143. John Morgan.....		300.00
146. A. Dewey, license collector.....	900.00	
148. W. S. Burton.....	580.00	
150. N. V. Jones.....		6.00
152. South Jordan Canal Co. (Stock).....	6,568.50	
153. South Jordan Canal Co.....	5,000.00	
154. E. A. Smith.....		17.05
204. Brinton Bros.....	77.24	
207. Jas. Laird.....		92.50
211. Joseph E. Taylor.....		50.00
212. S. Peterson.....		36.00
280. D. Bockholt.....	11,038.60	
281. C. W. Hardy.....	3.00	
282. S. Bennion.....		55
282. Jesse M. Smith.....	83.81	
283. E. Rushton.....	352.08	
284. Jas. Turner.....	121.47	
284. Rudolph Smith.....	89.50	
285. Jas. Spillett.....	14.00	
285. John Page.....	1.00	
286. Geo. W. Price.....	51.34	
286. J. R. Jones.....	60.79	
287. Wm. Anderson.....	374.75	
288. T. W. Russell.....	833.80	
288. E. Holt.....	415.48	
289. S. Merriott.....	300.00	
289. Lambert & Hill.....	25.80	
290. T. A. Wheeler.....	8.25	
290. M. D. Cook.....	30.00	

291. A. Henderson	17.88	
292. Levi North.....	51.48	
293. Haun & Hibbert.....	1.06	
293. B. B. Bitner	10.10	
294. George Nebeker	86.00	
294. John Miller	21 00	
295. W. H. Hill	18.94	
295. John B. Flagg	28.10	
296. John Hirst	20.00	
297. Levi N. Haidman....	12.14	
299. I. M. Stewart, . . .		24.00
299. George Crismon		11.41
301. Juvenile Instructor. . .		16.25
302. Midgley & Sons		4.20
309. W. McGhie, Jr. . . .		1.00
315. Gilby & Reid.. . . .	10.00	
318 C. H. Wileken		3.00
318. Godbe Pitts & Co.....		2.50
321. Adam Speirs		21.50
321. O. A. Woolley.....		15.20
325. John Webster... ..		12.00
326. W. Skews		21.50
327. Sandberg & Burton.....		2.25
331. W. Park		25.00
332. Big Cottonwood Road.....		150.00
383. Contingent Account . . .		182.00
441. J. M. Rupp	224.36	
335. Hardy, W. B.		30.00
		\$162,164.78 \$162,164.78

Financial Report of Salt Lake County, May 31st, 1883, to May 31st, 1884,
audited and found correct.
August 27th, 1884.

ELIAS A. SMITH, Probate Judge.

[SEAL.]

E. M. WEILER,
FRANCIS ARMSTRONG, } Selectmen.
E. HOLMAN,

TERRITORY OF UTAH, }
COUNTY OF SALT LAKE, } ss.:

I, John C. Cutler, Clerk of the County Court in and for the County of Salt Lake, in the Territory of Utah, do hereby certify that the foregoing is a full, true and correct copy of the Financial Statement for Salt Lake County for the fiscal year ending May 31st, 1884, as appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Court, this 28th day of August, A. D. 1884.

[SEAL.]

JOHN C. CUTLER, County Clerk.

FINANCIAL STATEMENT OF SALT LAKE COUNTY.

FOR THE FISCAL YEAR ENDING MAY 31, 1885.

RECEIPTS.

Balance in Treasury, May 31, 1884.....		\$ 2,634.11
Taxes, less abatements.....	\$74,610.60	
Less amount due from Collector.....	83.78	
Liquor Licenses.....		74,526.82
General and Butchers' Licenses.....		7,900.95
Fines.....		1,937.50
Redemption of Real Estate, bid in to Probate Judge for Taxes.....		219.00
Sale of Safes.....		256.64
Interest.....		935.00
Poll Tax, Salt Lake City.....		50.00
Poll Tax received as per Supervisors' Reports.....		2,232.75
Contingent Road Account (not yet expended).....		5,070.50
South Jordan Canal Company.....		2,330.45
Sundry Accounts in Statement of May 31, 1884..		5,000.00
Relief Account for Sundry Accounts Outlawed.....		1,815.31
Balance due to Z. Snow.....		2,603.96
		559.36
		\$108,072.35

DISBURSEMENTS.

Roads and Bridges.....		\$ 19,724.54
Poll Tax Expended as per Supervisors' Reports.....		5,070.50
Pauper and Insane.....		10,408.31
Relief.....		7,097.75
Interest.....		6,005.14
Prison.....		1,662.95
Improvements.....		3,613.25
Expense.....		2,131.31
Stationery.....		1,350.41
Criminal Expense.....		1,308.10
Inquests.....		443.15
Compensation.....		20,294.48
Bills Payable.....		9,101.13
Assessment on South Jordan Canal Stock.....		226.50
Petit Ledger.....		14.95
Sundry Accounts, in Statement of May 31, 1884.....		1,369.10
Balance in Treasury May 31, 1885, Cash and Bills Re- ceivable.....		7,562.94
Redemption of County Warrants in circulation May 31, 1884, issued prior to December 15, 1883.....	12,461.20	
Redemption of County Warrants in circulation May 31, 1884, issued since December 15, 1883.....	1,242.43	
		\$13,703.63
Less County Warrants in circulation May 31, 1885, issued prior to December 15, 1883.....	\$ 166.31	
Less County Warrants in circulation May 31, 1885, issued since December 15, 1883....	2,849.48	
	3,015.79	10,687.84
		\$108,072.35

Appropriation to Roads and Bridges.....	19,724.54
Poll Tax Expended as per Road Supervisors' Reports	5,070.50
Appropriation to Pauper and Insane.....	10,408.31
" " Outlawed Old Accounts.....	2,806.04
" " People of Utah County	2,000.00
" " Property sold for Taxes to Probate	
Judge.....	2,185.46
" " Licenses, etc., abated.....	106.25
Appropriation to Relief	7,097.75
" " Interest.....	6,000.00
" " Prison	1,662.95
" " Improvements	3,613.25
" " Expense	2,131.31
" " Stationery	1,350.41
" " Criminal Expense.....	1,308.10
" " Inquests	443.15

Compensation Account.

To E. A. Smith, Superintendent of County Affairs, March, 1884, to May 31, 1885.	3,182.95
To J. C. Cutler, County Clerk, March 15th, 1884, to May 31, 1885.....	3,395.80
To E. Smith Superintendent County Affairs, February 29, 1884, to March 18, 1884.....	148.00
To Z. Snow, Prosecuting Attorney, March 1st, 1884, to August 31, 1884	1,784.00
To I. M. Waddell, Prosecuting Attorney, September 1st, 1884, to May 31, 1885.....	1,500.00
To N. V. Jones, Collector, additional for 1883 ...	250.00
To N. V. Jones, Collector for 1884.....	2,000.00
To M. E. Cummings, Treasurer, June 1st, 1884, to May 31, 1885.....	900.00
To W. S. Burton, balance as Assessor for 1884.....	375.00
To John Morgan, Chairman County Board examining School Teachers.....	170.35
To John Morgan, Superintendent District Schools, April 1, 1884, to May 31, 1885.....	700.00
To John A. Groesbeck, Sheriff, April 1, 1884, to May 31, 1885.....	1,400.00
To A. Dewey, Liquor License Collector.....	1,114.95
To E. M. Weiler, per diem and viewing roads to May 31, 1885.....	360.00
To E. Holman, per diem and viewing roads to May 31, 1885	616.00
To J. W. Fox, Jr., per diem and viewing roads to May 31, 1885.....	328.00
To F. Armstrong, per diem and viewing roads to Au- gust 1, 1884.....	360.00
To Jeter Clinton, Quarantine Physician.....	50.00
To Joseph Burton, Janitor to May 31, 1885	779.80
To J. D. H. McAllister, Surveyor to May 31, 1885..	70.00
To Geo. B. Fletcher, Attorney Fees.....	220.00
To Sheeks & Rawlins, Attorney Fees	250.00
To A. Burt, Jailor	267.00
To Wm. Turner, Guarding Dam.....	72.63
	\$20,294.48

Less appropriated prior to June 1, 1884	3,150.00	17,144.48
Amount Owing by Utah and Salt Lake Canal.....		1,500.00
" " " Geo. Crismon on Taxes for 1876 ...	3,299.11	
" " " " " " " " 1877. ...	5,769.34	
" " " " " " " " 1878....	5,396.71	
" " " " " " " " 1879....	7,226.23	
" " " " " " " " 1880 ...	861.20	
" " " " " " " " 1881 ...	6,951.20	
" " " " " " " " 1882 ...	2,076.81	31,580.60
Amount Owing by N. V. Jones, on Taxes for 1884....		83.78
" " " R. J. Golding.....		8,359.15
" " " W. S. Burton		205.00
Amount of South Jordan Canal Stock.....		6,795.00
Amount Owing by Brinton Bros.....		77.24
" " " D. Bockholt.....		11,038.60
" " " J. M. Rupp.....		224.88
Cash in the hands of Treasurer M. E. Cummings		1,832.94
Bills Receivable in the hands of Treasurer M. E. Cum- mings		5,730.00
		<u>\$143,381.94</u>

REVENUE ACCOUNT.

Taxes for 1883	\$ 1,957.20	
" " 1884	72,863.24	
" " 1884	232.16	
	<u>\$75,052.60</u>	
Less Abatements.....	442.00	74,610.60
Fines		219.00
Liquor Licenses		7,900.95
General and Butchers' Licenses		1,937.50
Redemption of Real Estate		256.64
Interest.....		50.00
Sales of Safes		935.00
Poll Tax, Salt Lake City		2,232.75
Poll Tax, Collected as per Reports of Road Supervisors		5,070.50
		<u>\$ 93,212.94</u>

Debts Owing by Salt Lake County.

Bills Payable	\$44,150.00
Z. Snow	559.36
Petit Ledger.....	113.40
Contingent Road Account.....	2,330.45
County Warrants outstanding, issued prior to Decem- 15th, 1883.....	166.31
County Warrants outstanding, issued subsequent to December 15th, 1883.....	2,849.48
	<u>\$ 143,381.94</u>

TERRITORY OF UTAH, }
COUNTY OF SALT LAKE, } ss.:

I, John C. Cutler, Clerk of the County Court in and for the County of Salt Lake, in the Territory of Utah, do hereby certify that the foregoing is a full, true and correct copy of the Financial Statement of Salt Lake County for the fiscal year ending May 31st, 1885, as audited and found correct by the County Court of Salt Lake County on July 27th, 1885.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Court, this 31st day of July, A. D. 1885.

[SEAL.]

JOHN C. CUTLER, County Clerk.

SAN JUAN COUNTY.

FOR THE YEAR ENDING MAY 31, A. D. 1883-4.

Taxes as per assessment roll	\$ 696.056	
Balance in treasury May 31, 1883	70.70	
Delinquent tax collected	4.35	
Total		\$771.106
County court per diem	\$ 53.00	
County clerk	47.00	
County assessor and collector fifteen per cent.	104.40	
County superintendent of district schools	10.00	
County seals and freight	21.50	
Publishing financial report	5.00	
Books and stationery	21.75	
Commissions per governor	6.00	
Roads	215.00	
Appropriated for relief assessor and collector	46.70	
Total		530.35
Balance in treasury		\$240.75.6

I, Charles E. Walton, clerk of San Juan County in the Territory of Utah, hereby certify that the above is a true and correct copy of the financial affairs of this county.

Attest my hand and the seal of San Juan County, at Bluff City, this 20th day of June, A. D. 1884.

[SEAL.]

CHARLES E. WALTON, County Clerk.

SAN JUAN COUNTY.

FOR THE YEAR ENDING MAY 31, A. D. 1884-5.

Taxes as per assessment roll.....	\$ 931.00
Balance in treasury May 31, 1884.....	240.75.3
Total.....	\$1,171.75.3
County court per diem.....	\$ 91.00
“ clerk.....	50.00
“ treasurer.....	50.00
“ assessor and collector fifteen per cent.	154.65
“ superintendent of district schools.....	10.00
“ road commissioners.....	21.35
“ prosecuting attorney.....	15.00
“ roads.....	687.25
To James Lewis for services as judge election, 1880...	3.00
“ printing per Deseret News....	5.00
“ commissions per governor.....	10.00
“ road supervisor, N. A. Decker.....	9.00
Total	\$1,106.25
Balance in treasury.....	\$ 65.50.3

I, Charles E. Walton, clerk of San Juan County, in the Territory of Utah, do hereby certify that the above is a true and correct copy of the financial affairs of this county.

Attest my hand and the seal of San Juan County, at Bluff City, this 13th day of June, A. D. 1885.

[SEAL.]

CHARLES E. WALTON, Clerk of San Juan County.

SANPETE COUNTY.

FOR THE YEAR ENDING MAY 31, 1884.

COUNTY CLERK'S OFFICE, MANTI CITY, Utah, May 31, 1884.

To the Hon. the County Court of Sanpete County, Utah:

GENTLEMEN: I beg to submit to your Honorable Body the financial report of Sanpete County for the year ending May 31, 1884.

COUNTY TAX ACCOUNT.

To balance due June 1, 1883.....	\$ 266.97
To assessment for 1883.....	6,374.70 \$6641.67
By amount paid into treasury.....	\$5,644.80
“ assessor and collector's compensation at 9 per cent....	573.72
“ by remittances.....	112.67
“ to balance.....	310.48 6641.67

DISBURSEMENTS.

To the probate judge.. .. .	\$	461.80	
" " selectmen		110.40	
" " county clerk.....		639.92	
" " superintendent of district schools.....		260.41	
" " prosecuting attorney.....		229.00	
" " treasurer.		75.00	
" " quarantine physician.....		6.00	
" " public improvements.....		276.25	
" " county office and library.. .. .		394.97	
" " criminal prosecutions.....		607.37	
" " lunatics and indigent		900.65	
" " sundries.....		75.05	
" " roads and bridges.....		611.66	\$4,648.48
Warrants in circulation June 1, 1883....	\$	130.92	
" issued since " "		4,648.48	4,779.40
" redeemed at treasury since June 1, 1883			4,714.77
" in circulation June 1, 1884	\$		64.63

EXHIBIT OF TREASURY.

To amount on hand June 1, 1883	\$2,134.02	
" received on taxes for 1883.....	5,644.80	
" arising on sale of coal.....	35.00	
" " fines	52.00	7,865.82
By county warrants redeemed	\$4,714.77	
" amount in treasury	3,151.05	7,865.82

EXHIBIT OF SCHOOL FUND.

To balance in treasury June 1, 1883	\$	444.20	
" amount received on sale of estrays		33.00	477.20
By cash paid on superintendent's order	\$	334.20	
" service of treasurer for 1881 and 1883.....		20.00	
Balance in treasury.....		123.00	477.20

Approved July 21, 1884.

Very Respectfully,

JOHN REID,

Clerk of the County Court of Sanpete County, Utah Territory.

SEVIER COUNTY.

FOR THE YEAR ENDING MAY 31, 1884.

RECEIPTS.

Suspense account, balance from 1882.....		\$ 335.19
County tax assessed at 5 mills	\$2,784.66	
Amount of appropriations, not drawn, rescinded by the court	948.44	
Rental of council room and jail.....	40.00	
Fines from justices' courts.....	19.00	
Estray pounds.....	8.30	3,800.40
Total.....		<u>\$4,135.59</u>

DISBURSEMENTS.

Abatements and remittances.....	\$ 34.91	
Compensation to assessor and collector... ..	417.70	
" county treasurer	50.06	
" " superintendent district schools	44.50	
" road supervisors for 1883.....	155.25	
Court expenses per probate judge and selectmen, \$305.80 }	555.80	
And per salary to county clerk..... 250.00 }		
Paupers and insane	449.67	
County property, $\frac{2}{3}$ cost of safe for treasury purposes ...	81.43	
Roads and bridges.....	769.17	
Expense, criminal prosecution.....	730.12	
" stationery, printing bills, repairs of jail and court house, etc.....	175.24	\$3,463.85
To balance, May 31, 1884		<u>\$671.74</u>

RESOURCES.

Funds in the county treasury.....	\$573.14	
Due from assessor and collector.....	835.77	
Bills receivable	261.82	
		<u>\$1,670.73</u>

LIABILITIES.

Bills payable.....	\$100.22	
Balance of appropriations not drawn.....	166.37	
County warrants not redeemed.....	732.40	998.99
To balance, May 31, 1884.....		<u>\$ 671.74</u>

SEVIER COUNTY.

FOR THE YEAR ENDING MAY 31, 1885.

RECEIPTS.

Suspense account, balance from 1883..		\$ 671.74
County tax assessed at 6 mills..	\$3,287.07	
Rental of council room and jail..	40.00	
Fines from justices' courts..	35.00	
Estray pounds..	4.35	\$3,366.42
Total..		\$4,038.16

DISBURSEMENTS.

Abatements and remittances..	\$ 77.79	
Compensation to assessor and collector..	493.06	
" county treasurer..	38.47	
" superintendent district schools..	31.50	
" board of school examiners..	6.00	
" bee inspector	10.00	
" road supervisors for 1884..	153.30	
Court expenses per probate judge and selectmen \$298.80 }	573.80	
And per salary of county clerk.. 275.00 }		
Roads and bridges	1,562.83	
Paupers and insane..	13.90	
Expense, criminal prosecution	542.65	
" stationery, and printing bills, fuel, repairs of jail, and office furniture and improving county lots..	87.80	\$3,591.10
To balance, May 31, 1885		\$ 447.06

RESOURCES.

Due from assessor and collector..	\$728.86	
Bills receivable..	141.86	\$870.72

LIABILITIES.

Bills payable..	\$ 92.49	
Balance of appropriations not drawn..	41.87	
County warrants, not redeemed..	289.30	\$423.66
To balance, May 31, 1885..		\$447.06

TERRITORY OF UTAH, }
COUNTY OF SEVIER, } ss.:

I hereby certify the foregoing to be a correct copy of the financial report of Sevier County, for the fiscal year ending respectively, May 31, 1884, and May 31, 1885, as taken from the originals now on file in my office.

[SEAL.]

JNO. A. HELLSTROM, County Clerk.

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SUMMIT COUNTY.

FOR THE FISCAL YEAR ENDING MAY 31, 1884.

RECEIPTS.

Taxes	\$ 8,108.55
Licenses	5,883.53
Fines.....	224.95
Real estate	520.60
Indigent allowance	15.00
Estrays	2.00
Poll tax.....	42.00
Rent of court house hall.	60.00
Total.....	\$14,856.63

DISBURSEMENTS.

Balance against county June 1, 1883	\$ 472.28
Probate judge.....	259.25
County clerk	566.32
Treasurer	469.50
Sheriff.....	1,181.46
Superintendent of schools.....	148.15
Surveyor	95.00
Inquests.....	390.35
Road supervisors	249.17
Poor	1,128.65
Selectmen.....	421.55
Estray pounds	4.00
Contingent expenses	66.90
Published annual report.	6.00
Removing dead animals.....	1.50
Insane.....	712.75
Criminal prosecutions	4,065.78
Roads and bridges.....	1,261.62
Books and stationery	360.46
Fuel	26.15
Improvements on court house	196.75
Auditing accounts.....	12.00
Fixtures and furniture.....	151.00
Jails.....	131.35
Collecting licenses	132.00
Elections	31.45
Balance in favor of county.....	2,315.34
Total.....	\$ 14,856.63

THOMAS ALSTON, County Clerk.

Approved by the County Court, June 27, 1884.

TERRITORY OF UTAH, }
COUNTY OF SUMMIT, } ss.:

I, Thomas Alston, clerk of the County Court in and for Summit County, Utah Territory, hereby certify that the above is a full, true and correct copy of the financial statement of said county for the year ending May 31, 1884, as appears on file in my office.

Witness my hand and the seal of said court, this 5th day of October, A. D. 1885.

[SEAL.]

THOMAS ALSTON, County Clerk.

SUMMIT COUNTY.

FINANCIAL STATEMENT FOR THE YEAR ENDING MAY 31, 1885.

RECEIPTS.

Balance in favor of county May 31, 1884.....	\$2,315.24
Taxes.....	8,093.17
Licenses.....	532.30
Fines	45.00
Real estate	289.25
Estrays.....	3.00
Poll tax.....	123.50
Territorial road and bridge, approved.....	1,500.00
Unclaimed jurors and witness fees.....	55.55
Costs of inquests repaid	61.25
Rent of hall.....	50.00
Silver Creek road account	1,608.35
Transitory herds.	529.39

\$15,206.00

DISBURSEMENTS.

Probate judge.....	\$ 550.00
County clerk.....	609.60
Selectmen	308.40
Prosecuting attorney.....	460.00
Treasurer	201.17
Sheriff and deputies	1,073.06
Superintendent of schools.....	36.00
Surveyor	20.00
Recorder's office	100.00
Rebate on license to Park City.....	141.66
Inquests.. ..	624.00
Road supervisors.....	205.50
Ballot boxes, etc.	14.50
Insane.....	656.25
Criminal costs.....	994.77
Roads and bridges.....	4,430.82
Books, stationery and printing.....	159.19
Lights, etc.....	8.35
Poor	1,167.85
Collecting licenses	14.00
Board of examiners.....	15.00
District schools	25.35
Contingent expenses, fuel, etc	98.90
Public Park.....	10.66
Coalville jail fixtures.....	28.30
Furniture for office.....	30.00
Rent of jail, Park City	48.00
Quarantine in 1881.....	34.00
Balance in favor of county	3,135.67

\$15,206.00

Respectfully submitted this 1st day of June, A. D. 1885.

THOMAS ALSTON, County Clerk.

Audited and approved by County Court, June 5, 1885.

THOMAS ALSTON, Clerk.

TERRITORY OF UTAH, }
COUNTY OF SUMMIT, } ss.:

I, Thomas Alston, Clerk of the County Court in and for Summit County, Utah Territory, hereby certify that the above is a full, true and correct copy of the financial statement of said County for the year ending May 31, 1885, as appears on file in my office.

Witness my hand and the seal of said court this 5th day of October, A. D. 1885.

[SEAL.]

THOMAS ALSTON, County Clerk.

TOOELE COUNTY.

FOR THE FISCAL YEAR ENDING MAY 31, 1884.

Territorial Tax Account.

To balance due June 1, 1883.....	\$ 791.98	
" Assessment for 1883, by W. R. Judd.....	4,806.42	
		<u>\$5,598.40</u>
By Assessor and Collector's compensation 14 per cent..	\$ 672.89	
" Amount Remitted by the County Court, ...	83.03	
" " Abated, by the County Court	1.32	
" " Paid Territorial Auditor for 1883	3,117.44	
		<u>\$3,874.68</u>
Balance Due June 1, 1884.....		\$1,723.72

County Tax Account.

To Amount due from Mitchell, June 1, 1883.....	\$ 549.87	
" " " " W. R. Judd " " "	254.09	
" Assessment for 1883 by W. R. Judd	4,806.42	
		<u>\$5,610.38</u>
By Assessors and Collector's compensation at 14 per cent..	\$ 672.89	
" Amount Remitted by the County Court	83.03	
" " Abated " " " " "	1.32	
" " Paid into County Treasurer, 1883.	3,129.41	
" " Paid from D. W. Mitchell	230.50	
		<u>4,117.15</u>
Balance due June 1, 1884....		\$1,493.23

Warrants issued by Order of the County Court during the year ending May 31, 1884.

To the Probate Judge	\$ 58.80	
" " County Clerk	442.00	
" " Selectmen	488.90	
" " Pros. Atty.	99.80	
" " County Treasurer	160.00	
" " Sheriffs and Constables	417.35	
" " Superintendent of District Schools ..	50.00	
" " Road Supervisors	94.00	
" " Poor and Insane	1,208.30	
" " Justices of the Peace	246.49	
For Election expenses	28.00	
" Witness fees, criminal cases	68.30	
" Roads and bridges	260.48	
" Books, stationery and printing	319.97	
For light, fuel, Court House and lot ..	83.10	
" Collecting Licenses	72.50	
" Tax abated	11.30	
" Tax on transitory herds	152.43	
" Medical Services	78.00	
" Bee Inspector	39.00	
Total	\$4,378.72	
Warrants in circulation June 1, 1883 ..	3,232.91	
Total circulation during the year	\$7,611.63	
Warrants Redeemed by County Treasurer ..	5,206.79	
Balance in circulation June 1, 1884	\$2,404.84	
Sundry Ledger Accounts we owe	558.82	
Total Liabilities June 1, 1884 ..		\$2,963.66

Exhibit of the Treasury.

To Amount on hand June 1, 1883	\$ 863.40	
" " Received on License Account	990.00	
" " " " Fines "	57.50	
" " " " Estray "	52.95	
" " " " Transitory herds	7.25	
" " " " D. W. Mitchell account	230.50	
" " " " Due bill returned	12.10	
" " " " County Tax for 1883	3,129.41	
		\$5,343.11
By amount paid Cphir School District for 1882 ..	\$ 67.65	
" County Warrants Redeemed	5,206.79	
		\$5,274.44
Balance in Treasury June 1, 1884 ..		\$ 68.67

TERRITORY OF UTAH, } ss.:
COUNTY OF TOOELE, }

I hereby certify that the foregoing is a correct statement of the Receipts and Disbursements of Tooele County for the year ending May 31, 1884, together with the Resources and Liabilities, as Audited and approved by the County Court this 2nd day of June A. D. 1884.

[SEAL.]

JOHN W. TATE,
Clerk of the County Court of Tooele County, Utah.

TOOELE COUNTY.

FOR THE YEAR ENDING MAY 31, 1885.

Territorial tax account.

To balance due June 1, 1884.....	\$1,723.72	
" assessment for 1884, by A. G. Johnson.....	5,193.81½	
		\$6,917.53½
By assessor and collector, compensation at 14 per cent for 1884.....	\$ 727.13	
" amount remitted by the county court.....	64.99½	
" " abated " " " ".....	30.30	
" paid up in full by W. R. Judd as per receipt.....	1,723.72	
" " territorial auditor for 1884.....	4,185.83	
		\$6,731.97½
Balance due June 1, 1885.....		\$ 185.56

County tax account.

To balance due from D. W. Mitchell, June 1, 1884...	\$ 319.37	
" " " W. R. Judd, " " " "...	1,173.86	
" assessment for 1884, by A. G. Johnson.....	5,193.81½	
		\$6,687.04½
By assessor and collector compensation at 14 per cent. for 1884 ...	\$ 727.13	
" amount remitted by the county court.....	64.99½	
" " abated " " " ".....	30.30	
" " " and account cancelled against D. W. Mitchell.....	319.37	
" " received on taxes for 1881-2-3, from W. R. Judd.....	936.43	
" " received on taxes for 1884, from A. G. Johnson	4,266.79	
		\$6,345.01½
Balance due June 1, 1885.....		\$ 342.03

Warrants issued by order of the County Court during the year ending May 31, 1885.

To the probate judge.....	\$ 175.80
" " county clerk.....	457.00
" " prosecuting attorney.....	95.00
" " county treasurer.....	80.00
" " sheriff and constables.....	606.21
" " superintendent of district schools.....	51.52
" " selectmen.....	569.41
" " road supervisors.....	159.97
" " poor.....	157.35
For costs of inquests.....	5.00
" election expenses.....	19.90
" justices of the peace.....	71.15
" witnesses in criminal cases.....	3.45
" insane.....	1,066.51
" roads and bridges.....	108.08
" books, stationery and printing.....	159.80
" light, fuel and court house.....	69.40
" improvements on court house and jail.....	250.45
" insuring court house.....	96.00
" collecting of license.....	173.16
" tax abated.....	65.00
" tax on transitory herds.....	181.99
" medical services.....	258.00
" bee inspector.....	34.06
Total.....	\$4,914.21
Warrants in circulation June 1, 1884.....	2,404.84
Total circulation during the year.....	\$7,319.05
Warrants redeemed by the county treasury.....	6,961.03
Balance in circulation June 1, 1885.....	\$ 358.02
Sundry ledger accounts we owe.....	612 57
Liabilities June 1, 1885.....	\$ 970.59

Exhibit of the treasury.

To amount on hand June 1, 1884.....	\$ 68.67
" " received on license account.....	1,992.85
" " " fine account.....	20.00
" " " estray account.....	28.90
" " " county warrant returned.....	80.00
" " " on taxes for 1881-2-3.....	903.28
" " " " 1884.....	4,266.79
	\$7,360.49
By county warrants redeemed.....	6,961 03
Balance in treasury June 1, 1885.....	\$ 399.46

TERRITORY OF UTAH, }
COUNTY OF TOOELE, } ss.: 1

I hereby certify that the foregoing is a correct statement of the receipts and disbursements of Tooele County, Utah Territory, for the year ending May 31, 1885, together with its resources and liabilities as audited and approved by the County Court, this 1st day of June, A. D. 1885.

[SEAL.]

JOHN W. TATE,
Clerk of County Court, Tooele County, Utah Territory.

UINTAH COUNTY.

FOR THE FISCAL YEAR ENDING MAY 31, A. D. 1884.

RECEIPTS.

Money in treasury.. .. .	\$ 189.20	
Received of Collector Ashton.	436.05	
“ liquor dealers on license	300.00	
“ A. S. Johnson, J. P	177.00	
“ A. G. Harlock, J. P.	74.50	
“ road supervisor, J. B. Henry.	8.25	
Disbursements.		\$ 435.32
Redeemed county warrants		425.32
Remaining in treasury		759.68
	<u>\$1,185.00</u>	<u>\$1,185.00</u>

County warrants issued for the year ending May 31, 1884:

George Glines to purchase county stationery.	\$ 10.00
S. D. Colton, road supervisor, 1882.	15.75
T. Bingham, county judge, 1883	16.80
J. B. Henry, road supervisor, 1883.	19.50
J. Hocking, selectman, 1883.	13.20
A. S. Johnson, J. P., 1883.	12.15
“ “ “	11.55
S. Johnson on repairing court house.	40.10
W. P. Reynolds, prosecuting attorney, 1883	3.12½
Isaac Burton, road supervisor, 1882.	6.00
C. C. Bartlett, superintendent schools, 1882-3.	10.00
County court per handcuffs and shackles.	7.50
W. P. Reynolds, prosecuting attorney.	5.00
N. C. Davis, selectman, 1883-4	34.60
J. Hocking, “	3.60
S. D. Colton, sheriff	6.90
W. Ashton, prosecuting attorney, 1883.	5.00
George Glines, county clerk.	18.75
P. Dodds, selectman, 1883.	12.00
L. Johnson, selectman, 1883-4.	15.00
W. P. Reynolds, prosecuting attorney.	12.50
T. Bingham, county judge	17.40
W. Ashton, legal service, 1883.	10.00

S. D. Colton, sheriff	49.50
W. P. Reynolds, prosecuting attorney.....	12.50
George Glines, county clerk.....	18.75
J. Hardy, constable	10.00
County court per handcuffs and shackles...	6.35
Isaac Burton, senior selectman, 1883.....	18.00
Collector Ashton's report in circulation, June 1, 1883..	14.00

Whole county tax assessed for 1883.....	\$ 671.93	
Paid county treasurer.....		\$ 436.05
Balance		235.88

\$ 671.93 \$ 671.93

Whole county tax assessed for 1884.....	\$ 744.61	
Uncollected		\$ 744.61

School tax account.

1883 receipts	\$ 472.00	
Disbursements.....		\$ 472.00

I, the undersigned, clerk of the County Court of Uintah County, Utah Territory, hereby certify that the foregoing is a full, true and correct copy of the financial report of the County Clerk of Uintah County in the Territory of Utah, for the fiscal year ending May 31, 1884, as audited and approved by the County Court of said County.

Witness my hand and seal of the County Court of said County at my office in Ashley, Utah, this 15th day of September, A. D. 1884.

[SEAL.]

GEORGE GLINES, County Clerk.

RECAPITULATION. •

County warrants redeemed at treasury	\$425.32
“ in circulation at this date... ..	10.00

Total redeemed and in circulation\$435 32

UINTAH COUNTY.

FOR THE YEAR ENDING MAY 31, A. D. 1885.

RECEIPTS.

By amount on hand in treasury, May 31, 1884.....	\$ 759.68
“ taxes for 1884 as per assessment roll.. ..	694.07
“ appropriation from legislature.....	750.00
“ cash saloon license... ..	675.00
“ “ merchants' license	70.00
“ “ from road supervisor	12.00
“ fines justice court	289.50
Total receipts.....	\$3,250.25

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DISBURSEMENTS.

To amount appropriated for Ashley town site.....	\$	15.00
“ “ to Thomas Bingham, judge's fees.....		17.40
“ “ W. P. Reynolds, attorney's fees		48.37
“ “ J. B. Henry, road supervisor, etc.....		152.55
“ “ J. H. Black, supt. district schools.....		10.00
“ “ A. S. Johnson, J. P., and treasurer		179.39
“ “ George Glines, county clerk's salary....		61.35
“ “ L. Johnson, selectman fees, etc.....		230.89
“ “ N. C. Davis, “		48.30
“ “ James Hocking, selectman fees.....		53.70
“ “ S. D. Colton, sheriff fees....		181.60
“ “ A. J. Johnson for lumber.....		57.75
“ “ D. Workman, for work on road		78.40
“ “ Ed. Worthing, “ “		65.60
“ “ Peter Shirts, “ “		4.00
“ “ S. P. Dillman, “ “		166.46
“ “ J. Smith, “ “		33.60
“ “ C. Henry, “ “		13.85
“ “ J. H. Glines, judge's fees.....		16.85
“ “ R. Bodily, selectman fees, etc.....		123.00
“ “ W. H. Glines for timbers for Uintah bridge.....		100.00
Discount on Territorial check.....		56.25
To amount appropriated to Wm. Ashton, assessor and collector fees		114.30
“ “ Chas. Rich for work on road.....		7.20
“ “ Bert. Haight for blacksmithing.....		14.55
“ “ W. Tucker for work on road.....		9.60
“ “ P. Hanson, “		9.60
“ “ Phil Stringham clerk's salary, etc.....		41.50
“ “ J. Burton, for ferrying coroner, etc....		10.00
“ “ J. Rich, for work on road.....		8.50
“ “ G. A. Davis, justice of the peace.....		17.40
“ “ J. Hardy, for hauling lumber to Uintah bridge.....		108.80
“ “ For books, etc		10.00
Total expenditures.....	\$	2,065.76
Amount in treasury, May 31, 1885.....		1,184.49

TERRITORY OF UTAH, } ss.:
COUNTY OF UINTAH, }

I, Phil Stringham, Clerk of County Court of Uintah County, Utah Territory, do hereby certify the foregoing to be a full, true and correct statement of the financial condition of Uintah County, for the year ending May 31, A. D. 1885.

In witness I hereunto set my hand and affix the seal of Uintah County this 30th day of May, A. D. 1885.

[SEAL.]

PHIL STRINGHAM, Clerk.

TERRITORY OF UTAH, } ss.:
COUNTY OF UINTAH, }

I, Phil Stringham, Clerk of the County Court of Uintah County, Utah, do hereby certify that the above is a true, full and complete copy of the financial statement of Uintah County, as audited by County Court, for the year ending May 31, A. D. 1885.

In witness I hereunto set my hand and seal of County this 28th day of October, A. D. 1885.

[SEAL.]

PHIL STRINGHAM, Clerk.

UTAH COUNTY.

FOR THE FISCAL YEAR ENDING MAY 31, 1884.

RECEIPTS.

From Taxes as per abstract assessment 1011, August 21, 1883.....	\$13,827.62
Less erroneous assessment.....	\$ 46.37
“ remitted taxes.....	46.95
“ amount uncollected.....	2,903.58
Total actual receipts from taxes of 1883.....	10,830.72
From taxes of 1880.....	11.19
“ “ “ 1882.....	686.80
“ License.....	480.00
“ Fines in Justice's courts.....	167.50
“ Pound Fees.	68.95
“ Rent.....	550.00
“ Poll Tax	10.50
“ Emery County reimbursed on criminal prosecution.. . .	328.87
“ Sanpete County “ “ “	86.72
“ Juab County “ “ “	243.48
“ Wasatch County “ “ “	12.35
“ Millard County “ “ “	397.00
“ Utah Territory, Territorial portion of County Assessor's compensation 1882 and 1883	3.97
Total receipts...	\$14,162.87
Balance in Treasury May 31st, 1883.....	1,325.55
Total	\$15,488.42

EXPENDITURES.

For Highways.....	\$ 1,910.15
“ Insane and Pauper persons	3,120.95
“ Criminal prosecution.....	1,118.71
“ Court House, care and improvements of	1,255.84
“ County Jail.....	21.60
“ Schools	300.00
“ Recorder's and Surveyor's offices	25.75
“ Salaries Probate Judge, County Attorney, County Clerk, County Treasurer and Supt. of District Schools.....	2,791.82
For Contingent expenses	100.00
“ Assessor's and Collector's compensation, county portion	977.25
“ “ “ “ Territorial “	354.55
“ Holding inquests.....	7.50
“ Relief to collector for 1880	23.00
“ “ “ “ 1881.....	39.42
“ Stationery, county record books, etc	423.17
“ Furniture and fixtures.....	164.46
“ Fuel and lights.....	88.80
“ Per diem and mileage	247.20
“ Sealing of weights and measures	11.75
“ Printing and advertising	31.00
“ Estray pound	83.60
“ Equalization of Taxes on transitory herds	7.25
“ Expense.....	18.00
Total expenditures	\$13,121.77

Less County warrant in circulation May 31, 1884.....	8.60
Total actual expenditures.....	\$13,113.77
Balance in the treasury May 31, 1884.....	2,374.65
Total.....	\$15,488.42

STATEMENT OF AMOUNT PAID TO EACH COUNTY OFFICER—INCLUDED IN THE
FOREGOING EXPENDITURES.

Probate Judge salary	\$	700.00
Selectman McCullough services		114.00
“ Page “		86.20
“ Holdaway “		97.00
Prosecuting attorney's salary and mileage		611.00
County clerk “		900.00
County treasurer “		291.82
Assessor's compensation for assessing		295.45
Collector's “ “ collecting		681.80
Superintendent of District Schools, salary		300.00
Sheriff care and custody of Court House.....	\$520.00	
“ serving warrants of arrest, mileage, etc.....	176.07	
“ attendance at county court.....	40.00	736.07
Total.....		\$4,813.34

Resources, exclusive of the above balance.....\$3,416.17

Approved by the County Court, June 3rd, 1884.

V. L. HALLIDAY, County Clerk.

PROVO CITY, June 6th, A. D. 1884.

UTAH COUNTY.

FOR THE FISCAL YEAR ENDING MAY 31, 1885.

RECEIPTS.

From taxes as per abstract assessment roll Aug. 26, 1884.....	\$	15,374.09
Less remitted taxes.....	\$	139.17
“ amount due from collector.....	5,734.92	5,874.09
Total actual receipts from taxes of 1884.....		\$9,500.00
From taxes of 1883.....	\$	2,136.36
“ licenses		960.00
“ fines.....		288.30
“ estray pound fees.....		86.50
“ poll tax.....		3.00
“ Emery County reimbursed on criminal prosecution.....		361.75
“ Sevier County “ “ “		3.30
“ Wasatch County “ “ “		23.92
“ Sanpete County “ “ “		2.50
“ Millard County “ “ “		50.00
“ rent		500.00
“ equalization taxes on transitory herds		17.73
“ criminal prosecution, amt. recovered by J. W. Turner.....		100.00
“ appropriation legislature for Spanish Fork Cañon road.....		2,000.00
Total receipts	\$	16,033.36

Balance in treasury May 31, 1884.....	2,374.65
Total.....	<u>\$ 18,408.01</u>

EXPENDITURES.

For highways.....	\$ 4,459.91
" insane and pauper.....	3,186.85
" criminal prosecution.....	2,005.00
" county jail.....	126.35
" tuition normal students.....	557.00
" salaries, probate judge, county attorney, county clerk, county treasurer, superintendent of district schools.....	3,072.66
" contingent expenses.....	200.00
" assessor and collector's compensation 1884.....	1,136.36
" inquests.....	13.50
" stationery, county record books, etc.,.....	340.25
" furniture and fixtures.....	110.36
" fuel and lights.....	143.87
" per diem and mileage.....	274.10
" printing and advertising.....	48.15
" equalization taxes on transitory herds.....	10.26
" expenses.....	36.00
" history of Utah County.....	500.00
" court house and improvements of.....	520.00
" telephone.....	85.00
" redemption of county warrants in circulation May 31, 1883..	13.00
Total expenditures.....	<u>\$ 16,838.62</u>
Less county warrants in circulations May 31, 1885.....	110.26
Total actual expenditures.....	<u>\$ 16,728.36</u>
Balance in treasury May 31, 1885.....	1,679.65
Total.....	<u>\$ 18,408.01</u>

STATEMENT OF AMOUNT PAID TO EACH COUNTY OFFICER—INCLUDED IN THE FOREGOING EXPENDITURES.

Probate Judge's salary.....	\$ 1,075.00
Selectman Page's services.....	145.00
" Holdaway's services.....	158.50
" Hunter's services.....	42.10
Ex " McCullough.....	99.50
Prosecuting attorney's salary.....	600.00
County clerk.....	900.00
" treasurer.....	197.66
Assessor and collector's compensation.....	1,136.36
Superintendent of district schools, salary.....	300.00
Surveyor's services.....	24.50
Sheriff, care and custody of court house.....	\$ 52.00
" serving warrants of arrest, mileage, etc.,.....	109.47
" attendance at county court.....	42.50
Total.....	<u>\$ 5,350.59</u>
Resources exclusive of the above balance.....	<u>\$ 7,330.25</u>

Approved by the County Court, June 18, 1885.

V. L. HALLIDAY, County Clerk
Utah County, Utah Territory.

WASATCH COUNTY.

FOR THE YEAR ENDING MAY 31, 1884.

RECEIPTS.

To amount received as per assessment for 1883.....	\$2,268.50
“ less amount not collected.....	346.80
	\$1,921.70
Fines from justices' courts, \$114.05, licenses, \$345.00....	459.05
Balance in Treasury June 1, 1883.....	1,085.02
	\$3,465.77

EXPENDITURES.

By amount disbursed for roads and bridges.....	\$ 778.42
“ percentage assessor and collector.....	170.15
“ stationery, blank books, etc.....	179.35
“ per diem county court, \$93.80, county clerk, \$120.00.....	213.80
“ sheriffs, \$131.25, poor, \$8.30, court house, \$413.75.....	553.30
“ making plot for county, \$26.00, recorder, \$4.00	30.00
“ superintendent district schools, \$40.00, probate judge, \$55.00...	95 00
“ canceling stamp, \$9.00, furniture, etc., court house, \$67.52.....	76.52
“ water right, \$20.30, probate seal, \$2.50.....	22.80
“ treasurer's percentage, \$46.55, county warrants in circulation, \$65.46.....	112.01
By criminal prosecutions.....	72.10
Balance in treasury May 31, 1884	1,162.32
	\$3,465.77

WASATCH COUNTY.

FOR THE YEAR ENDING May 31, 1885.

RECEIPTS.

To amount in the treasury May 31, 1884.....	\$1,162.32
“ “ as per assessment for 1884....	2,056.65
“ rent court house, \$13.00, licenses, \$553.55	566.55
“ taxes for 1883, \$346.80, fines justice's courts, \$158.00.....	504.80
“ estray pound, \$94.75, G. W. Clyde, \$6.75.....	101.50
	\$4,391.82

EXPENDITURES.

By amount for roads and bridges.....	\$1,426.93
" " " court house material, labor and furniture.....	1,021.03
" per diem and mileage of county and probate court....	148.30
" expenses justice's court	255.00
" county treasurer's percentage, \$97.24, county clerk, \$150.00 ...	247.24
" district schools, \$117.00, superintendent district schools, \$51.00	168.00
" books, printing and stationery, \$114.15, repair of estray pen. \$12.00	126.15
By board of examination for school teachers, \$12.00, district schools, \$94.97.	106.97
By county attorney, \$258.00, Safe, \$325.....	583.00
" removing nuisances, \$9.50, taxes remitted, \$13.45.....	22.95
" assessor and collector's percentage.....	174.81
" less county warrant.....	1.00
Balance in Treasury May 31, 1885.....	110.44
	<u>\$4,391.82</u>

WASHINGTON COUNTY.

FOR THE YEAR ENDING MAY 31, 1884.

RECEIPTS.

From Taxes balance uncollected June 1, 1883	\$ 405.36
" " after assessment for 1882.	127.08
" " as per assessment roll for 1883	4,674.32
" " after assessment for 1883.....	102.25
	<u>\$5,309.62</u>
Less remittances	\$ 117.51
" Assessor and Collector's compensation	488.12
	<u>605.63</u>
Total actual receipts from taxes.....	\$ 4,703.99
From Licenses (net receipts)	1,110.53
" Fines	227.50
" Poundage	13.25
" Profit and Loss	20.09
" Personal Accounts	639.78
Total receipts.....	<u>\$ 6,715.14</u>

DISBURSEMENTS.

Appropriations.

For extra services of Judge Macfarlane	\$ 50.00
" Court attendance " " "	15.00
" extra services of Judge E. G. Woolley, ...	150.00
" Court attendance " " "	21.00
" " " of Selectmen J. Judd, \$15.00; } R. Bently, \$18.00; M. M. Snow, } \$30.00; R. H. Ashby, \$45.00; } Jas P. Terry, \$63.00	171.00
For service of County Clerk	500.00
" " " County Treasurer	62.50
" " " E. G. Woolley, Road Commisniener	25.00
" E.W. Snow, Assessor and Collector, taxes and costs } of sale on lots sold to Judge for taxes }	30.05
For G. W. G. Averett, Road Supervisor Washington	9.00
" Eli Whipple, " " Pine Valley	62.92
" O. A. Wood, " " Pinto	12.00
" A. P. Hardy, " " St. George	15.00
" Committee Auditing County books	20.00
" Criminal expenses for board and care of Prisoners and costs of Courts in criminal cases	1,255.96
For Insane and board and care of Insane	998.20
" Inquests	67.65
" Night patrol	60.00
" Court House agent	1,055.80
" Printing	38.50
" Roads and Bridges	684.72
" Elections (ballot boxes)	21.00
" Office expense	47.31
" Costs in Civil Cases	25.00
" Cage and Vault account	47.70
" Text books for Board of Examination	5.25
Total appropriations	\$ 5,450.56
Total Amount of scrip paid during year on Appropriations of present and past year and on personal accounts	\$6,833.38
Total receipts	6,715.14
" Disbursements (scrip paid out)	6,833.38
Excess of Disbursements	\$ 118.24

TREASURER'S ACCOUNT.

Balance in Treasury June 1, 1883:

Scrip	\$ 5,952.88
Cash	551.91
Sundries	65.62
Total	\$ 6,570.41
Amount of scrip received	\$7,271.53
" " cash "	1,383.78
" " sundries received	75.52
Total receipts for year	8,730.83
Total	\$15,301.24

DISBURSEMENTS.

Amount of scrip destroyed	\$5,954.88	
Cash disbursed on scrip account.....	1,827.53	
Sundries " " " " "	15.00	
Cash refunded to claimants on school fund account ..	10.00	
Sundries " " " " " " " " " ..	13.68	
Total disbursed.....		7,821.09
Balance in treasury May 31, 1884	}	\$ 7,480.15
Scrip \$7,269.53; cash \$98.16; sundries \$112.46...		

Scrip Account.

Scrip in treasury and circulation June 1, 1883.....	\$7,140.62	
" issued during past year.....	6,833.38	
Total		\$13,974.00
Scrip destroyed.....	\$5,954.88	
" in treasury May 31, 1884	7,269.53	
Total.....		\$13,224.41
Scrip in actual circulation..		\$ 749.59

ASSETS OF COUNTY.

Balance in treasury May 31, 1884	}	\$ 210.62
exclusive of scrip		
Property on hand (Safe, etc.).....		1,080.36
Balance due on school fund account June 1, 1883.....	\$ 235.25	
Paid County School Superintendent one year	100.00	
" J. W. Carpenter for printing ..	2.00	
Refunded to claimants.....	23.68	
	\$ 360.93	
Less amount received from sale of estrays	193.25	
Balance due May 31, 1884....		167.68
Due on personal accounts		109.80
Total assets		\$1,568.46

LIABILITIES.

Scrip in actual circulation	\$ 749.59	
Owing on personal accounts.....	2,332.74	
Amounts due on appropriations for year ending	}	1,138.26
May 31, 1884		
For previous years		
	\$885.40	
	252.86	
Total liabilities.....		\$ 4,220.59
Total assets.....	\$1,568.46	
" liabilities	4,220.59	
Excess of liabilities.....		\$ 2,652.13

TERRITORY OF UTAH,
COUNTY OF WASHINGTON, } ss.:

I, Joseph C. Bentley, Clerk of the County Court, in and for Washington County, Utah Territory, do hereby certify that the foregoing is a true statement of the Receipts and Expenditures of said County and the Assets and Liabilities thereof.

In witness whereof, I have hereunto set my hand and affixed the seal of said Court at my office in St. George City, Utah, this first day of June, 1884.
[SEAL.] JOSEPH C. BENTLEY, County Clerk.

WASHINGTON COUNTY.

FOR THE YEAR ENDING MAY 31, 1885.

RECEIPTS.

Balance in treasury, June 1, 1884, exclusive of re-.....		
deemed scrip.....		\$ 208.62
Received from liquor licenses.....	\$1,015.00	
" " other licenses.....	970.45	
" " fines.....	224.00	
" " poundage.....	11.25	
" " school fund.....	87.41	
" " court house rent account.....	172.15	
" " rent of lots sold to judge for taxes.....	12.00	
" " taxes.....	3,850.50	
" " profit and loss.....	329.26	
" " personal accounts.....	415.75	
Total receipts.....		\$7,087.77
Scrip in actual circulation on May 31, 1885.....		587.80
Total.....		\$7,884.19

DISBURSEMENTS.

Scrip in actual circulation on June 1, 1884.....		\$ 747.59
Paid on compensation of E. G. Wolley, judge.....	\$ 104.30	
" " " " M. M. Snow, selectman.....	43.96	
" " " " J. P. Terry, ".....	122.72	
" " " " R. H. Ashby, ".....	85.33	
" " " " J. C. Bentley, county clerk.....	336.08	
" " J. A. Cox, constable of Silver Reef.....	11.15	
" " G. H. Crosby, road supt. Leeds District.....	1.23	
" " Eli Whipple, " " Pine Valley District.....	65.52	
" " N. R. Fawcett " " Price ".....	6.00	
" " Jas. Humphries, road supt. Virgen City District...	8.00	
" " A. P. Hardy, " " St. George ".....	15.00	
" " " " county road commissioner.....	28.00	
" " Geo. Bally, road supt. Toquerville District.....	4.00	
" " R. Bentley, county treasurer and court house agent.....	445.81	
" " Jas. Orton, county superintendent district schools..	111.30	

" on night patrol account.....	64.90
" " expense account for clerk's office, etc.....	160.62
" " jurors' fees.....	10.20
" " witness fees.....	58.00
" " court house account.....	1,207.80
" " criminal expense account.....	760.75
" " expense of district schools.....	44.50
" " indigent account.....	4.25
" " insane account.....	663.77
" " West's map.....	16.00
" " Utah "Gazetteer".....	7.00
" " roads and bridges.....	982.14
" " sundry personal accounts.....	1,177.98
Total disbursements.....	<u>\$6,546.31</u>
Balance in treasury on May 31, 1885, exclusive of redeemed scrip.....	590.29
Total.....	<u>\$7,884.19</u>

RESOURCES.

Balance in treasury, May 31, 1885, exclusive of redeemed scrip.....	\$ 590.29
Personal accounts due the county.....	10.90
Due the county from school fund.....	80.27
Property on hand, (safe, etc).....	1,080.36
Total resources.....	<u>\$1,761.82</u>

LIABILITIES.

Scrip in actual circulation, May 31, 1885.....	\$ 587.80
Due by county on personal accounts.....	1,398.85
Unexpended appropriations.....	213.69
Total liabilities.....	<u>\$2,200.34</u>
Excess of liabilities.....	<u>\$ 438.52</u>

TERRITORY OF UTAH, }
COUNTY OF WASHINGTON, } ss.:

I, Joseph C. Bentley, Clerk of the County Court in and for the County of Washington, Territory of Utah, certify the foregoing to be a full, true and correct copy of the original financial report of Washington County for the fiscal year ending May 31, 1885, as presented to and approved by the County Court of said County.

Witness my hand and the seal of said Court this 28th day of December, 1885.

[SEAL.]

JOSEPH C. BENTLEY, County Clerk.

WEBER COUNTY.

FOR THE FISCAL YEAR ENDING MAY 31, 1884.

RECEIPTS.

To cash on hand June 1, 1883.....	\$	356.52
“ received from Collector on Taxes		18,892.51½
“ “ “ C. F. Middleton, J. P., on fines		83.80
“ “ “ Thos. D. Dee, J. P., on fines....		186.00
“ “ “ Jas. Johnson, J. P., on fines...		19.00
“ “ “ H. D. Petterson, J. P., on fines		10.00
“ “ “ Jas. Hutchins, J. P., on fines....		10.00
“ “ “ H. V. Shurtliff, Poundkeeper..		60.00
“ “ “ Mons Peterson, Poundkeeper..		48.25
“ “ “ J. M. Ferrin, Poundkeeper....		26.00
“ “ “ N. Montgomery, Poundkeeper.		3.00
“ “ “ Coroner, for sale of tools.....		5.00
“ “ “ Sale of safe.....		400.00
“ “ “ Water certificates delivered...		189.00
“ borrowed from D. H. Peery.....		3,000.00
“ “ “ Anders Larsen.....		1,500.00

DISBURSEMENTS.

By County Warrants redeemed.....		\$19,486.19
“ Cash to redeem note for \$5,000—held by the First National Bank.....		5,000.00
“ Cash on hand.....		302.89½
		\$24,789.08½
		\$24,789.08½

DELINQUENT SCHOOL TAX.

To Cash received from Assessor and Collector of Randall District	\$	14.05
To Cash received from Assessor and Collector of Kanesville District.....		45.00
To Cash received from Assessor and Collector of Pleasant View District		21.65
By School Trustees receipts	\$	59.05
“ Cash on hand.....		21.65
	\$	80.70
	\$	80.70

County Warrants issued during the fiscal year, and for what purposes they were issued:

For services of Probate Judge.....	\$	286.10
“ Selectmen.....		562.20
“ County Clerk.....		1,318.00
“ Assessor and Collector.....		1,000.00
“ County Treasurer		250.00
“ County Supt. of Schools ..		300.00
“ Sheriff		301.70
“ Prosecuting Attorney.....		1,000.00
“ Coroner Hall and cost of Inquests...		146.74
“ Surveyor.....		66.00
“ Road Supervisors.....		353.25
“ Water Commissioner		25.80

For maintenance of poor persons.....	963.37
" maintenance of insane persons.....	999.85
" prosecuting criminals.....	501.95
" improving and repairing roads, and bidges and river banks	2,371.41
" relief of sundry poor persons from taxes.....	99.15
" improving and repairing Ogden Cañon road and bridges	1,953.35
" improving and repairing Court House and lot..	1,619.21
" constructing vaults at Court House.....	2,843.55
" stock in the Ogden Cañon Road Company.....	20.00
" records and stationery for County offices	315.10
" printing and advertising.....	288.25
" services of night-watch, winding clock, and sundry expenses of Court House.....	260.00
" cleaning in " "	109.50
" fuel for " "	102.50
" furniture for " "	199.75
" telephone for " "	59.40
" moving safe from " "	37.00
" compiling, printing, and publishing the boundaries of the several School Districts, Road Districts, and Precincts	393.00
For interest on borrowed money.....	560.56

Total issued during the fiscal year.....	\$19,306.75
Warrants reported as outstanding June 1, 1883	59.34
Redeemed old warrants which were issued prior to the year 1869 and never reported as in circulation	120.10
Warrants outstanding at this date.....	51.35

Total in circulation during the fiscal year. \$19,537.54

RECAPITULATION.

Warrants redeemed at the Treasury	\$19,486.19
" outstanding at this date.....	51.35
Total	\$19,537.54

LIABILITIES OF WEBER COUNTY.

Promissory notes held by D. H. Perry.....	\$ 5,000.00
" " " Anders Larsen.....	1,500.00
Warrants outstanding at this date.....	51.35
Total	\$ 6,551.35

COLLECTOR HYRUM BELNAP'S ACCCUNT.

To County Taxes for the year 1883	\$18,970.81	
By Remittances		\$ 78.29½
" Treasurer's receipts		18,892.51½
	\$18,970.81	\$18,970.81

The foregoing is respectfully submitted.

OGDEN, June 2, 1884.

C. C. RICHARDS, Clerk County Court,
Weber County, Utah Territory.

The foregoing report was audited and approved by the County Court of Weber County, at a session thereof, held this 28th day of August, A. D. 1884,

L. W. SHURTLIFF, Probate Judge,
ROBERT MCQUARRIE, Selectman,
N. MONTGOMERY, Selectman,
B. H. BINGHAM, Selectman.

TERRITORY OF UTAH, }
COUNTY OF WEBER, } ss.:

I, the undersigned, Clerk of the County Court in and for said County, do hereby certify that the foregoing is a full, true, and correct copy of the Financial Report of the County Clerk of Weber County, in the Territory of Utah, for the fiscal year ending May 31, 1884, and of the Certificate of Auditing thereto annexed, now on file in my office.

Witness my hand and the seal of said Court, this Sixth day of September A. D. 1884.

[SEAL.]

C. C. RICHARDS, Clerk.
By DANIEL HAMER, Deputy Clerk.

WEBER COUNTY.

FOR THE FISCAL YEAR ENDING MAY 31, 1885.

RECEIPTS.

Cash on hand June 1, 1884.....	\$	302.89
" from Justice Shurtliff, on fines.....		10.00
" " " Bybee, on fines.....		4.00
" " " Miller, on fines.....		5.00
" " " Dee, on fines.....		73.55
" " " Montgomery, on fines.....		10.00
" " " Dye, on fines.....		5.00
" " " Purdy, on fines.....		1.50
" " Poundkeeper Manning.....		2.00
" " " Crane.....		4.00
" " Licenses.....		265.85
" " Collector Belnap, on taxes.....		19,195.33
" borrowed from Commercial Nat. Bank.....		7,500.00
" " " David H. Peery.....		5,000.00

DISBURSEMENTS.

County warrants redeemed at treasury.....		\$32,059.39
Cash on hand.....		319.73
	\$32,379.12	\$32,379.12

SCHOOL TAX ACCOUNT.

To delinquent tax, collected for Hooper District.....	\$	278.75
" " " Kaneshville District ..		49.88
" " " Bingham Fort Dist...		51.20
Sale of land in Plain City townsite.....		10.00
By school trustees' receipts.....	\$	329.83
" cash on hand.....		60.00
	\$389.83	\$389.83

County Warrants issued during the fiscal year and for what purposes they were issued.

To the Probate Judge, for services rendered	\$ 1,220.90
" Selectman McQuarrie, "	192.50
" " Montgomery, "	366.50
" " Bingham, "	113.30
" " Halls, "	38.30
" the county clerk, "	1,500.00
" " assessor and col., "	1,000.00
" " prosecuting att'y, "	1,000.00
" Treasurer McQuarrie, "	323.00
" " Harris, "	111.10
" Sheriff Stevens, "	150.00
" " Belnap, "	173.55
" the county surveyor, "	584.55
" " recorder, "	902.65
" " supt. of schools, "	350.00
" " board of examiners, " and expenses	85.00
" " road supervisors, for services	763.45
For improving and repairing roads, bridges and river banks	2,612.38
" improving and repairing Ogden Cañon road and bridges	3,030.06
" improving and repairing court house and lot	2,945.63
" maintaining insane persons	993.80
" " poor "	1,495.15
" prosecuting criminals	549.35
" holding inquests	21.35
" relief of sundry poor persons from their taxes	204.66
" maintaining pounds	18.75
" fixtures for vaults in court house	146.40
" furniture, carpets, etc., for court house	389.40
" use of telephone at " "	60.25
" attending to flag at " "	19.00
" cleaning at " "	91.00
" fuel for " "	89.25
" sundry expenses at court house, including services of night watch	202.95
" printing and advertising	215.00
" maps of Utah Territory	100.00
" brand records	75.00
" records and stationery purchased	430.65
" interest on borrowed money	843.56
" redeem notes held by Commercial National Bank	7,500.00
" " " Anders Larsen	1,500.00

Total issue during the fiscal year	\$32,458.39
Warrants in circulation June 1, 1884	51.35

Total in circulation during the fiscal year.....\$32,509.74

RECAPITULATION.

Warrants redeemed at the treasury	\$32,059.39
" outstanding at this date	450.35
Total	\$32,509.74

LIABILITIES OF WEBER COUNTY.

Promissory notes held by D. H. Peery.....	\$10,000.00
Warrants outstanding.....	450.35
Total	\$10,450.35

COLLECTOR HYRUM BELNAP'S ACCOUNT.

To county taxes for the year 1884.....	\$19,339.65	
By remittances		\$ 133.82
" abatement.....		10.50
" treasurer's receipts.....		19,195.33
	\$19,339.65	\$19,339.65

Very Respectfully,

C. C. RICHARDS, County Clerk,
Weber County, Utah Territory.

OGDEN, June 1, 1885.

The foregoing report was audited and approved by the County Court of
Weber County, at a session thereof held this 17th day of August, A. D. 1885

L. W. SHURTLIFF, Probate Judge,
ROBERT MCQUARRIE, Selectman,
NATHANIEL MONTGOMERY, Selectman,
GEO. HALLS, Selectman.

TERRITORY OF UTAH, }
COUNTY OF WEBER, } ss.:

I, the undersigned, County Clerk in and for said County of Weber, do hereby certify that the above is a full, true and correct copy of the Financial Report of the County Clerk of Weber County, in the Territory of Utah, for the fiscal year ending May 31, 1885, and of the certificate of auditing thereto attached, now on file in my office.

Witness my hand and the seal of said Court, at my office in Ogden,
Utah, this 24th day of August, A. D. 1885.

[SEAL.]

C. C. RICHARDS, County Clerk,
By DANIEL HAMER, Deputy Clerk.